



VICTORIA GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE FACTORY ENGINE DRIVERS BOARD.

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

(B) On the 22nd June, 1914, and 17th August, 1920, respectively, the powers of the Factory Engine Drivers Board were extended to enable it to "fix the lowest prices or rates which may be paid to any person employed in the occupation of—

- (a) a boiler cleaner;
- (b) an engine-driver or attendant in connexion with the use of internal combustion engines or electrical engines other than internal combustion engines or electrical engines connected with mines."

(C) On the 16th April, 1935, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any person employed in the occupation of—

- (a) a fireman, boiler attendant, boiler cleaner, or engine-driver in connexion with steam engines or steam boilers in or about plants for crushing metalliferous ores;
- (b) an engine-driver or attendant in connexion with the use of internal combustion engines or electrical engines in or about plant for crushing metalliferous ores—

and such power was conferred exclusively on the Mining Engine Drivers 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 whosoever employed in the occupation of a fireman, boiler attendant, or engine-driver, in connexion with the use of steam-boilers or steam-engines other than steam-boilers or steam-engines connected with mines," has made the following Determination, namely:—

1. That as from the 8th December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Wages.

	Wages per Week.			
	Persons other than those Employed in Bush Saw-mills.			Persons Employed in— (a) Bush Saw-mills. (b) All parts of Victoria not elsewhere included.
	Within 20 miles of G.P.O., Melbourne; 10 miles of Chief P.O., Geelong; at Warrnambool, and in the Gippsland District.	Within 15 miles of the Mildura Post Office.	At Yallourn.	
A.—STATIONARY ENGINE DRIVERS.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
<i>Steam Engines.</i>				
First-class	13 14 0	14 0 0	14 0 6	13 11 0
First-class, with condenser	14 0 6	14 6 6	14 7 0	13 17 6
Second-class	13 9 0	13 15 0	13 15 6	13 6 0
Second-class, with condenser	13 14 0	14 0 0	14 0 6	13 11 0
<i>Suction Gas or Other Internal Combustion Engine.</i>				
Fifty brake horse-power or over	13 14 0	14 0 0	14 0 6	13 11 0
Under fifty brake horse-power	13 9 0	13 15 0	13 15 6	13 6 0
<i>Electric Motor Attendants.</i>				
On motors over 250-horse power	13 14 0	14 0 0	14 0 6	13 11 0
On motors 100-horse power to 250-horse power inclusive	13 6 0	13 12 0	13 12 6	13 2 0
On motors under 100-horse power	13 0 0	13 6 0	13 6 6	12 17 0
Where the employee attends two or more motors he shall be paid a rate calculated on the aggregate horse power of such motors.				
<i>Note.</i> —Horse power shall be that shown on the maker's name plate.				

	Wages per Week.			
	Persons other than those Employed in Bush Saw-mills.			Persons Employed in— (a) Bush Saw-mills; (b) All parts of Victoria not elsewhere included.
	Within 20 miles of G.P.O., Melbourne; 10 miles of Chief P.O., Geelong; at Warrambool, and in the Gippsland District.	Within 15 miles of the Mildura Post Office.	At Yallourn.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
B.—LOCOMOTIVE ENGINE DRIVERS.				
If human beings other than train crew are sometimes or always carried ..	14 13 0	14 19 0	14 19 6	14 10 0
Others	14 3 6	14 9 6	14 10 0	14 0 6
If the gauge is less than three feet, 4s. 6d. per week less in each case.				
C.—NAVVIERS AND DRAG LINE OR DREDGE TYPE EXCAVATORS.				
Driver	14 19 6	15 5 6	15 6 0	14 16 6
Second driver	13 19 6	14 5 6	14 6 0	13 16 6
D.—WINCH DRIVERS.				
Log haulers on timber mills or on tramways on timber mill (exceeding 8-inch diameter cylinders)	13 14 0	14 0 0	14 0 6	13 11 0
Others	13 10 0	13 16 0	13 16 6	13 7 0
E.—CRANE DRIVERS.				
Lofty cranes—first-class	14 9 0	14 15 0	14 15 6	14 6 0
Lofty cranes—second-class	14 5 6	14 11 6	14 12 0	14 2 6
Lofty cranes—third-class	13 19 6	14 5 6	14 6 0	13 16 6
Cantilever cranes	14 5 6	14 11 6	14 12 0	14 2 6
Cranes transporting molten metal in foundries	13 18 0	14 4 0	14 4 6	13 15 0
Open hearth furnace crane	13 18 0	14 4 0	14 4 6	13 15 0
Steam travelling cranes	13 18 0	14 4 0	14 4 6	13 15 0
Other steam cranes	13 13 6	13 19 6	14 0 0	13 10 6
Grab cranes	13 18 0	14 4 0	14 4 6	13 15 0
Electric cranes not elsewhere included—				
Four motions and over				
Overhead traverser with auxiliary hoist				
Traverser with jib hoist				
Two or three motions	13 9 6	13 15 6	13 16 0	13 6 6
Overhead traverser				
Stationary jib; stationary jib hoist				
Traverser jib				
Hydraulic stationary jib cranes	13 6 0	13 12 0	13 12 6	13 3 0
Mobile cranes lifting capacity up to and including 5 tons	14 0 0	14 6 0	14 6 6	13 17 0
Mobile cranes lifting capacity over 5 tons and not exceeding 10 tons	14 5 0	14 11 0	14 11 6	14 2 0
Mobile cranes lifting capacity over 10 tons and not exceeding 20 tons	14 12 6	14 18 6	14 19 0	14 9 6
Over 20 tons	14 19 6	15 5 6	15 6 0	14 16 6
Fork lift driver	13 10 0	13 16 0	13 16 6	13 7 0
Cranes and hoists not elsewhere included	13 2 0	13 8 0	13 8 6	12 19 0
String cranes—five tons or less	12 14 0	13 0 0	13 0 6	12 11 0
F.—TRACTION ENGINE DRIVERS.				
<i>Road.</i>				
Traction engine or road roller (steam)	13 17 0	14 3 0	14 3 6	13 14 0
Road roller (oil)	13 15 0	14 1 0	14 1 6	13 12 0
Traction engine (oil—50-brake h.p. or over)	13 17 0	14 3 0	14 3 6	13 14 0
Traction engine (oil—under 50-brake h.p.)	13 12 0	13 18 0	13 18 6	13 9 0
When used as stationary engines, Division A of this clause shall apply.				
<i>Rail.</i>				
Electric traction motor	13 7 0	13 13 0	13 13 6	13 4 0
Internal combustion traction motor	13 7 0	13 13 0	13 13 6	13 4 0
<i>Tow Motors.</i>				
Tow motor	13 1 0	13 7 0	13 7 6	12 18 0
G.—TRACTOR UNIT PLANT.				
<i>The provisions of this Division shall not apply to logging operations.</i>				
Tournapull	14 19 6	15 5 6	15 6 0	14 16 6
Tractors without power operated attachments or with power operated attachments not in use				
(a) 50-brake horse power and under	13 12 0	13 18 0	13 18 6	13 9 0
(b) over 50-brake horse power	13 17 0	14 3 0	14 3 6	13 14 0
Tractors while using power operated attachments—				
(a) 35-brake horse power and under	13 17 0	14 3 0	14 3 6	13 14 0
(b) over 35-brake horse power to 70-brake horse power	14 7 0	14 13 0	14 13 6	14 4 0
(c) over 70-brake horse power	14 13 0	14 19 0	14 19 6	14 10 0

	Wages per Week.			
	Persons other than those Employed in Bush Saw-mills.			Persons Employed in— (a) Bush Saw-mills; (b) All parts of Victoria not elsewhere included.
	Within 20 miles of G.P.O., Melbourne; 10 miles of Chief P.O., Geelong; at Warrnambool, and in the Gippsland District.	Within 15 miles of the Mildura Post Office.	At Yallourn.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Provided that the total margin payable to the operator of a tractor using a power operated attachment not normally operated while such tractor is in motion shall not exceed 50s. <i>Special Work</i> —A driver operating a tractor of 70-horse power or over fitted with a blade and using such blade while engaged in breaking trail in heavy sidling country for any part of a day shall be paid an additional allowance of three half pence per hour for all work performed on that day.				
Loader, Front end and Overhead— Appropriate wage for Tractor hereinafter prescribed.				
Loader, mechanical bucket type, truck or tractor mounted	13 17 0	14 3 0	14 3 6	13 14 0
Grader, single unit over 40-horse power ..	14 13 0	14 19 0	14 19 6	14 10 0
Grader, single unit 40-horse power and under	14 3 0	14 9 0	14 9 6	14 0 0
Concrete paver, single drum	13 12 0	13 18 0	13 18 6	13 9 0
H.—FIREMEN.				
Fireman	13 4 0	13 10 0	13 10 6	13 1 0
Fireman—first-class	13 9 0	13 15 0	13 15 6	13 6 0
Leading fireman—first class	13 16 0	14 2 0	14 2 6	13 13 0
Leading fireman—second-class	13 13 0	13 19 0	13 19 6	13 10 0
Locomotive fireman	13 7 0	13 13 0	13 13 6	13 4 0
I.—GREASERS.				
Greaser or oiler	13 0 0	13 6 0	13 6 6	12 17 0
Greaser or oiler—first-class	13 9 0	13 15 0	13 15 6	13 6 0
Trimmer	12 16 0	13 2 0	13 2 6	12 13 0
Fuelman	12 16 0	13 2 0	13 2 6	12 13 0
Engine cleaner	12 16 0	13 2 0	13 2 6	12 13 0
Boiler cleaner	12 16 0	13 2 0	13 2 6	12 13 0
Provided that any person engaged inside the gas or water space of any boiler, flue or economizer, in cleaning or scraping work shall, whilst so employed, be paid 9d. per hour in addition to his ordinary or overtime rate of pay.				
J.—OTHERS.				
Pile-driving machine	13 16 0	14 2 0	14 2 6	13 13 0
All others	11 17 0	12 3 0	12 3 6	11 14 0

3.

Additional Rates.

Per Week.

(a) An engine-driver or fireman engaged as hereinafter specified shall be paid additional rates as follow, viz:—

	s. d.
Attending to refrigerating compressor	9 0
Attending to electric generator or dynamo exceeding 10 kilowatt capacity	9 0
In charge of plant	9 0

Provided that except as to dragline excavators these rates shall not be cumulative to the extent of increasing the wage of an employee more than 61s. above the rate for "All Others," and provided further that an engine-driver attending a refrigerating compressor shall be paid a rate not less than 41s. above that fixed for "All Others".

Extra rates payable under this sub-clause shall be regarded as part of an employee's ordinary wage for the purposes of this Determination.

(b) Any engine-driver and/or fireman in a bush sawmill who is required to do saw sharpening shall be paid a further additional rate, viz:—

15 0

(c) Attending to switchboard where the generating capacity is 350 kilowatt or over

6 0

JUNIOR LABOUR.

4. (a) The minimum rates of wage to be paid to juniors working as greasers or oilers, other than on shafting, or as cleaners or as motor drivers or attendants where the motor does not exceed 50 horse-power in all shall be the under-mentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant loading specified.

	Percentage of Basic Wage.	Additional Amount.	Total Wage Payable—			
			Persons other than those Employed in Bush Saw-mills.			Persons Employed in— (a) Bush Saw-mills ; (b) All parts of Victoria not elsewhere in- cluded.
			Within 20 miles of G.P.O., Melbourne ; 10 miles of Chief P.O., Geelong ; at Warrnambool, and in the Gippsland District.	Within 15 miles of the Mildura Post Office.	At Yallourn.	
	Per Week.	Per Week.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
If under 16 years of age ..	24	0 6	2 16 0	2 16 0	2 17 6	2 15 0
16 years of age ..	32	0 9	3 14 6	3 14 6	3 16 6	3 13 6
17 years of age ..	58	1 0	6 15 0	6 15 0	6 18 6	6 13 0
18 years of age ..	73	2 0	8 10 6	8 10 6	8 15 6	8 8 6
19, but under 20 years of age ..	88	2 6	10 6 0	10 6 0	10 11 6	10 3 0

(b) If a cleaner, greaser or oiler sometimes under the supervision of an engine-driver, stops or starts an engine, he shall be paid 6s. per week extra.

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

CONTRACT OF EMPLOYMENT.

5. (a) Except as provided by clause 6 hereof, employment shall be by the week. An employee, to become entitled to payment on a weekly basis, shall, except as provided by clause 15 hereof, perform such work as the management shall from time to time require on the days and during the hours usually worked by the class of employees affected.

(b) Employment for the first two weeks of service shall be from day to day at the weekly rate fixed. Provided that any employee who has once served a probationary period of two weeks with any employer shall not be subject to be employed for a second probationary period with the same employer, except when his re-engagement takes place at least one month after the termination of his employment. Provided further that an employee shall be paid for any holiday or holidays which occur during any period he is employed on probation pursuant to this clause.

(c) An employee not attending for duty shall, except as provided by clause 14 hereof, lose his pay for the actual time of such non-attendance.

(d) Employment shall be terminated by a week's notice on either side, such notice to be given at any time during the week, or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the management to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such case wages shall be paid up to the time of dismissal only, or to deduct payment for any time the employee cannot be usefully employed because of any strike by the Federated Engine-drivers and Firemen's Association of Australasia or any other Union or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible. Provided that, where an employer orders employees not to work on any day because of the state of the weather, such order shall not deprive the employees of their claim for payment under their weekly engagements, but if such employees cease work on any day because of the state of the weather without being ordered to do so, they shall not be entitled to payment for time so lost.

CASUAL LABOUR.

6. A casual employee (as defined) shall be paid per hour an amount equal to 1 1/10th of the weekly rate prescribed by this Determination for the work performed by him divided by forty.

HOURS.

7. (a) For an employee not working on shift the ordinary working hours per week and per day respectively shall be of the same number as those worked in the particular workshop, factory, or working place at which such employee works by the majority of the employees not working on shift who are engaged therein in connexion with the operation for which is used the power or steam supplied with the aid of such employee.

Provided that if the number of hours worked by such majority exceeds 40 per week, the ordinary working hours for such employee shall not exceed 40 per week nor 8 in any one day.

(b) Except as provided in sub-clause (d) hereof time occupied in raising steam or closing down engines or banking fires shall be regarded as time worked.

(c) For employees not working on shift a regular starting and finishing time shall be fixed, which shall not be changed except after notice of at least a week to the employee concerned.

(d) In the bush or in bush sawmills or in log sawmills outside the towns and cities specifically referred to in clause 26 hereof each engine-driver or fireman when so engaged shall be allowed 1½ hours per day at ordinary rates for preparing and/or closing down engines and/or for raising steam and/or banking fires on boilers.

(e) For employees working on shift the ordinary working hours shall be as provided in clause 13 hereof.

MEAL INTERVAL.

8. Except on shift work, provision shall as far as practicable be made by the employer to enable an employee to have a midday meal interval of not less than 40 minutes nor more than one hour on all working days except Saturday, or as otherwise agreed between an employer and the appropriate branch of the Union. Such meal interval shall not be deemed to be time worked, and the time of ceasing work shall be extended by time equal to the duration of the meal interval.

For all work done during such meal interval and thereafter until a meal break is allowed, payment shall be made at the rate of time and a half.

MEAL INTERVAL DURING OVERTIME.

9. (a) Until further order, employees shall be allowed the same conditions as to the meals and meal intervals to be allowed while working overtime as are prescribed by award, determination or industrial agreement—Commonwealth or State—for the general body of employees of the industry in which they are employed.

(b) In any case to which sub-clause (a) hereof does not apply—

(i) An employee working overtime shall be allowed a crib-time of twenty minutes without deduction of pay after each four hours of overtime worked if the employee continues work after such crib time.

Provided that where a day worker on a five-days week is required to work overtime on a Saturday the first prescribed crib time shall, if occurring between 10 a.m. and 1 p.m., be paid at ordinary rates.

Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

- (ii) An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 2s. for such meal and 1s. 3d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshops who can reasonably return home for meals.

Unless the employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and/or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided, but which are surplus.

OVERTIME.

10. (a) For all time worked on week days outside the hours prescribed in clause 7 hereof, overtime shall be paid at the rate of time and a half for the first four hours and double time thereafter.

(b) An employee recalled after leaving his place of work to work overtime shall be paid for a minimum of three hours' work at the appropriate rate.

(c) An employee occasionally required to hold himself in readiness, either at his home, his place of work or elsewhere, to work after ordinary hours, or on a Saturday which is not an ordinary working day or on a Sunday or holiday, shall be paid standing-by time at his ordinary rate of wage for the time from which he is to hold himself in readiness until released.

(d) When an employee working overtime finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home or pay him at his ordinary rate of wage for the time occupied in reaching his home.

(e) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least eight consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

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

HOLIDAYS.

11. All employees shall be entitled to the same holidays as are observed by the general body of employees of the industry in which they are employed.

SUNDAY AND HOLIDAY WORK.

12. (a) In the case of continuous or recurring work necessarily done in the ordinary course directly for the establishment's usual production of service upon Sundays or holidays as well as upon other days of the week, ordinary time or shift worked on a Sunday or holiday shall be paid for at the rate of time and a half, but in all other cases all time on duty on Sundays or holidays shall be paid for at the rate of double time.

(b) Employees, other than on shift or engaged in maintaining the continuity of electric light and power, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

SHIFT WORK.

13. (a) The ordinary working hours of employees on shift work shall not exceed an average of 40 per week spread over a period of two, three or four weeks, to be worked in shifts of eight hours, including such time, as by mutual arrangement may be taken for meals.

(b) There shall be a roster of shifts which shall—

- (i) Provide for rotation unless all the employees concerned desire otherwise;
- (ii) Provide for not more than eight shifts to be worked in any nine consecutive days; and
- (iii) Not be changed until after four weeks' notice.

Provided that an employee's place on such roster shall not be changed except on one week's notice of such change or payment of penalty rates.

So far as employees present themselves for work in accordance therewith, shifts shall be worked according to the roster.

(c) Notwithstanding the preceding sub-clauses (a) and (b), where in any particular workshop, factory or working place at which an employee working on shift is engaged the majority of the employees working on shift therein in connexion with the operations for which is used the power or steam supplied with the aid of such employees work shifts not in accordance with sub-clauses (a) and (b) hereof, such employee for his ordinary hours of work may be required by his employer to work shifts similar in length, roster conditions and crib-times to those of such majority, but this sub-clause shall not apply when such shifts exceed in the aggregate 160 hours in any period of four consecutive weeks, in which case the preceding sub-clauses (a) and (b) shall apply.

(d) For work done by a shift worker outside the ordinary hours of his shift double time shall be paid. But this shall not apply to arrangements between employees themselves or in cases due to rotation of shift or when the relief does not come on duty at the proper time. Such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

(e) Shift workers on continuous work whilst on afternoon or night shifts shall be paid 7½ per cent. more than the ordinary rates for such shifts.

Shift workers on other than continuous work whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop, or for at least six successive afternoons or nights in a six-day workshop shall be paid at the rate of time and a half.

An employee who—

- (i) during a period of engagement on shift works night shift only; or
 - (ii) remains on night shift for a longer period than four consecutive weeks; or
 - (iii) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each shift cycle,
- shall during such engagement period or cycle, be paid at the rate of time and a quarter for all time worked during ordinary working hours on such night shifts.

Night shift means any shift starting between 8 p.m. and 6 a.m.

Afternoon shift means any shift starting between 10 a.m. and 8 p.m.

Employees working shifts shall be paid for work performed between midnight on Friday and midnight on Saturday at the minimum rate of time and a quarter. This extra rate shall be in substitution for and not cumulative upon the shift premiums prescribed in the preceding paragraphs of this sub-clause, but the provisions of this paragraph shall not prejudice any right of the employee to obtain, alternatively, any higher rate in respect of that work by virtue of any provision of this Determination.

(f) Notwithstanding the preceding sub-clause (e) where in any particular workshop, factory or working place at which an employee working on shift is engaged the majority of the employees working on shift therein in connexion with operations for which is used the power or steam supplied with the aid of such employee receive higher shift premiums for working such shifts than those provided by sub-clause (e) hereof, such employee shall be paid such higher shift premiums in substitution for the provisions of sub-clause (e).

(g) Where in any particular workshop, factory or working place at which an employee working on shift is engaged the majority of the employees working on shift therein in connexion with operations for which is used the power or steam supplied with the aid of such employee receive compensation by way of annual leave or otherwise for working Saturday afternoon, holiday and/or Sunday shifts, such employee shall be given similar compensation for working such shifts.

SICK LEAVE.

14. (a) Employees shall be entitled to and shall be allowed sick leave to the same extent and subject to the same conditions as are prescribed by award, determination, or agreement—Commonwealth or State—for the general body of employees in the industry in which they are employed. Provided that an employee shall be entitled in any case to sick leave not less than is hereinafter provided.

(b) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any periods in respect of which he is entitled to workers' compensation.
- (ii) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (as defined) whether in the employ of one employer or of several to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

SINGLE DAY ABSENCES.

(c) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly-qualified medical practitioner that in his, the medical practitioner's, opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (b) (iii) hereof.

CUMULATIVE SICK LEAVE.

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

ATTENDANCE AT HOSPITAL, ETC.

(e) Notwithstanding anything contained in sub-clause (b) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

(f) This clause shall not apply to adult male employees in bush saw-mills but such employees shall be paid in lieu thereof at the rate of 3s. per week.

ANNUAL LEAVE.

15. (a) Employees shall be entitled to and shall be allowed annual leave to the same extent and subject to the same conditions as are prescribed by statute, award, determination, or industrial agreement—Commonwealth or State—for the general body of employees in the industry in which they are employed. Provided that an employee shall be entitled in any case to annual leave not less than that 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.

Seven-Day Shift Workers.

(b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave, including non-working days.

Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-day shift worker, he shall be entitled to have the period of annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

MIXED FUNCTIONS.

16. (a) Where the employment or work involves functions of a mixed character, the minimum wages to be paid to the employee for the day or part of a day he is so employed shall be calculated as if he performed such only of the said functions as involve the highest rate of wages under this Determination. If so employed for any part of a day he shall be paid at the highest rate for the whole of such day.

(b) Engine drivers, whilst in charge of their engines, shall only be required to perform such work as may be within the scope of or incidental to engine driving and the generation, use and application of engine power. Provided that engine drivers in charge of engines supplying power to any intermittent process involving regular stoppages, may during such stoppages be required to perform any work necessary or incidental to such intermittent process.

EXTRA RATES NOT CUMULATIVE.

17. Extra rates herein prescribed are not cumulative so as to exceed the maximum of double the ordinary rates.

TRAVELLING AND CAMPING ALLOWANCES.

18. Employees shall be allowed the same conditions as to fares, travelling time, travelling allowances, country work, camping allowances as are prescribed by award, determination or industrial agreement—Commonwealth or State—for the general body of employees of the industry in which they are employed.

RIGHT OF ENTRY OF UNION OFFICIALS.

19. A duly accredited representative of the Federated Engine-drivers and Firemen's Association of Australasia not more than once a fortnight shall have the right to enter during the midday meal hour the portion of an employer's establishment in which any employees engaged upon any class of work to which this Determination applies are employed for the purpose of interviewing such employees on legitimate Union business.

If any employer alleges that a representative is unduly interfering with or is creating disaffection amongst his employees or is offensive in his methods, such employer may refuse the right of entry.

Provided, however, that no employer or person apparently acting on his behalf shall refuse to allow such representative as aforesaid to enter an establishment upon the grounds only that it is not then the midday meal interval, unless he shall upon such refusal give the representative full and accurate particulars of the meal hours or crib times of each of the employees engaged upon work to which this Determination applies. An employer shall be deemed to have committed a breach of this Determination if he or the person apparently acting on his behalf omits, being obliged to do so, to give such particulars as aforesaid.

TIME AND WAGES BOOK.

20. (a) Each employer shall keep a time and wages book at his workshop, factory or mill or other place of work or at an office convenient thereto showing the name of each employee, his classification under this Determination, his time of starting and finishing work each day and the amount of overtime worked, and all amounts paid to him by way of wages, special rates and allowances.

(b) Any time occupied by an employee in filling in any time book or card, or in making of records, shall be treated as time of duty.

(c) An employer may provide a mechanical clock for the purpose of recording the time of each employee, in which case an employee shall at the end of the week enter such other particulars as may be necessary to comply with sub-clause (a) hereof on some card or document used in connexion with such clock, and such card or document shall be deemed to be the time and wages book.

(d) Such time and wages book shall on demand be produced at reasonable times by the employer for inspection to an official of the Federated Engine-drivers and Firemen's Association of Australasia duly authorized in writing by the president and secretary of the local branch or sub-branch of such Association at the place where the time and wages book is kept pursuant to sub-clause (a) hereof.

The official making such inspection shall be permitted to make and retain a copy of any entry in such time and wages book relating to any matter in respect of which he suspects a breach of this Determination has been committed. He shall, if required to do so, produce for inspection by the employer or his representative any such copy as aforesaid.

SHOP STEWARDS.

21. A shop steward appointed by the employees in each workshop or place of work shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

Provided that this clause shall not apply in any case in which at the one place an employer employs five or less employees to whom this Determination applies.

MISCELLANEOUS.**Radiators.**

22. (a) Each crane cabin shall, unless otherwise heated, be equipped with a radiator, which the employer shall install and maintain in good order and condition.

Boiling Water.

(b) Employers shall provide boiling water for employees at meal times.

Drinking Water.

(c) Employers shall provide for the use of employees in workshops a sufficient supply of wholesome cool drinking water.

DEFINITIONS.

23. In this Determination, except where otherwise clearly intended—

(a) "Attendant" means a person who attends to an electric motor or motors of thirty horse-power or more in the aggregate, and performs any duties of oiling or cleaning or attending to commutators, brushes, fuses, or switches.

(b) "Casual employee" means an employee competent to do the work he is engaged to do who is dismissed or refused work without any fault of his own before the expiration of six days from the date he starts work, but does not include an employee usually engaged in another capacity by the employer concerned, and who is called upon to do work coming under the terms of this Determination.

(c) "Engine-driver" means any person who operates or drives any engine or engines, the motive power of which is either steam, gas, oil, water, compressed air, or electricity, and includes any person who is called upon in the ordinary course of his duty to do engine-driver's work other than simply stopping or starting an engine under the supervision of an engine-driver.

- (d) "Engine-driver in charge of plant" means—
 (i) When two or more drivers are employed at the plant at one time, the engine-driver who is invested with the superintendence and responsibility or who has to accept the responsibility and superintendence; or
 (ii) When he is the only person of his class employed on the plant, the engine-driver who does the general repair work of the plant in addition to the work of engine-driving, but not when he merely assists a fitter or engineer to do such work.
- (e) "Fireman in charge of plant" means when he is the only person of his class employed on the plant, the fireman who does the general repair work of the plant in addition to the work of firing, but not when he merely assists a fitter, engine-driver, or engineer to do such work.
- (f) "Fireman—first-class" means a fireman who attends to two or more boilers or two or more suction gas generators or one boiler or one suction gas generator developing 1,000 i.h.p., and includes the fireman of a steam navy or excavator.
- (g) "Greaser or Oiler" shall mean and include any persons substantially engaged in greasing or oiling any engine, machinery or shafting.
- (h) "Greaser or Oiler—first-class" means a greaser or oiler who under the supervision of an engine-driver stops or starts an engine or engines, but does not include any greaser or oiler who does so only in cases of necessity or emergency.
- (i) "Leading fireman—first-class" means—
 (i) The fireman employed at a plant where three or more firemen are employed at the same time who is invested with the responsibility and superintendence or who has to accept the responsibility and superintendence; or
 (ii) The fireman employed at a plant where three or more firemen are employed at the same time whose duty it is to attend to the water of boilers that are fired by two or more of the other firemen.
- (j) "Leading fireman—second-class" means—
 (i) The fireman employed at a plant where two firemen are employed at the same time who is invested with the responsibility and superintendence or who has to accept the responsibility and superintendence; or
 (ii) The fireman employed at a plant where two firemen are employed at the same time and whose duty it is to attend to the water of boilers that are fired by the other fireman.
- (k) "Lofty crane—first-class" means a lofty crane on a building in the course of erection or demolition where the driving platform is more than 100 feet above the ground.
- (l) "Lofty crane—second-class" means a lofty crane on a building in the course of erection or demolition where the driving platform is from 20 to 100 feet above the ground.
- (m) "Lofty crane—third-class" means a lofty crane outside buildings not in the course of erection where the driving platform is more than 20 feet from the level of the ground.
- (n) "Steam-engine—first-class" means a turbine or an engine or engines having a single cylinder with a bore of 12 inches in diameter or over, or having singly or together two or more cylinders the sum of the area of whose bores equals or exceeds the area of a circle 12 inches in diameter.
- (o) "Steam-engine—second-class" means an engine or engines having a single cylinder with a bore less than 12 inches in diameter or having singly or together two or more cylinders the sum of the area of whose bores is less than the area of a circle 12 inches in diameter.
- (p) "Year" means a year commencing the 1st day of January.

APPLICATION OF DETERMINATION.

24. This Determination shall not apply to—

- (i) The driving of any internal combustion engine of 30 or less b.h.p. or any engine or electric motor or any pump, air compressor, pneumatic, or small hoist on which no engine-driver or fireman or greaser is employed as such, but the starting and stopping of and attention to which is done by an employee the greater part of whose time is taken up with other work; or
 (ii) The operation of pneumatic and small hoists and two-motion electric man-power cranes; or
 (iii) The driving of footpath rollers of 30 cwt. and under.

MARGINS.

25. In addition to the basic wage provided in clause 26 hereof, the margins and loadings set out in this clause shall be the minimum rate payable to employees therein named :—

Classification.	Margins.	Loadings.
A.—STATIONARY ENGINE DRIVERS.		
<i>Steam Engines.</i>		
First-class	34 0	3 0
First-class, with condenser	40 6	3 0
Second-class	29 0	3 0
Second-class, with condenser	34 0	3 0
<i>Suction Gas or Other Internal Combustion Engine.</i>		
Fifty brake horse-power or over	34 0	3 0
Under fifty brake horse-power	29 0	3 0
ELECTRIC MOTOR ATTENDANTS.		
On motors over 250 horse-power	34 0	3 0
On motors 100 horse-power to 250 horse-power inclusive	26 0	3 0
On motors under 100 horse-power	20 0	3 0
Where the employee attends two or more motors he shall be paid a rate calculated on the aggregate horse power of such motors		
NOTE.—Horse-power shall be that shown on the maker's name plate		
B.—LOCOMOTIVE ENGINE DRIVERS.		
If human beings other than train crew are sometimes or always carried	50 0	6 0
Others	42 6	4 0
If the gauge is less than three-feet, 4s. 6d. per week less in each case.		
C.—NAVIES AND DRAG LINE OR DREDGE TYPE EXCAVATORS.		
Driver	56 6	6 0
Second driver	38 6	4 0
D.—WINCH DRIVERS.		
Log haulers on timber mills or on tramways on timber mill (exceeding 8-inch diameter cylinders)	34 0	3 0
Others	30 0	3 0

MARGINS—continued.

Classification.	Margins.	Loading.
	s. d.	s. d.
E.—CRANE DRIVERS.		
Lofty cranes—first-class	46 0	6 0
Lofty cranes—second-class	42 6	6 0
Lofty cranes—third-class	38 6	4 0
Cantilever cranes	42 6	6 0
Cranes transporting molten metal in foundries	37 0	4 0
Crane driver on open hearth furnaces	37 0	4 0
Steam travelling cranes	37 0	4 0
Other steam cranes	33 6	3 0
Grab cranes	37 0	4 0
Electric cranes not elsewhere included—		
Four motions and over		
Overhead traverser with auxiliary hoist		
Traverser with jib hoist		
Two or three motions	29 6	3 0
Overhead traverser		
Stationary jib; stationary jib hoist		
Traverser jib		
Hydraulic stationary jib cranes	26 0	3 0
Mobile cranes lifting capacity up to and including 5 tons	40 0	3 0
Mobile cranes lifting capacity over 5 tons and not exceeding 10 tons	45 0	3 0
Mobile cranes lifting capacity over 10 tons and not exceeding 20 tons	52 6	3 0
Over 20 tons	59 6	3 0
Fork Lift Driver	30 0	3 0
Cranes and hoists not elsewhere included	22 0	3 0
String cranes—five tons or less	14 0	3 0
F.—TRACTION ENGINE DRIVERS.		
<i>Road.</i>		
Traction engine or road roller (steam)	37 0	3 0
Road roller (oil)	35 0	3 0
Traction engine (oil—50-brake horse-power or over)	37 0	3 0
Traction engine (oil—under 50-brake horse-power)	32 0	3 0
When used as stationary engines, Division A of this clause shall apply.		
<i>Rail.</i>		
Electric traction motor	27 0	3 0
Internal combustion traction motor	27 0	3 0
Tow Motors.		
Tow motor	21 0	3 0
G.—TRACTOR UNIT PLANT.		
<i>The provisions of this Division shall not apply to logging operations.</i>		
Tournapull	56 6	6 0
Tractors without power operated attachments or with power operated attachments not in use—		
(a) 50-brake horse-power and under	32 0	3 0
(b) over 50-brake horse-power	37 0	3 0
Tractors while using power operated attachments—		
(a) 35-brake horse power and under	37 0	3 0
(b) over 35-brake horse-power to 70-brake horse power	44 0	6 0
(c) over 70-brake horse-power	50 0	6 0
Provided that the total margin payable to the operator of a tractor using a power operated attachment not normally operated while such tractor is in motion shall not exceed 50s.		
<i>Special Work</i> —A driver operating a tractor of 70 brake horse-power or over fitted with a blade and using such blade while engaged in breaking trail in heavy sidling country for any part of a day shall be paid an additional allowance of three half-pence per hour for all work performed on that day.		
Loader, Front End and Overhead—		
Appropriate margin and loading for Tractor hereinbefore prescribed.		
Loader, Mechanical Bucket type, truck or tractor mounted	37 0	3 0
Grader, single unit over 40-brake horse-power	50 0	6 0
Grader, single unit 40-brake horse-power and under	40 0	6 0
Concrete paver, single drum	32 0	3 0
H.—FIREMEN.		
Fireman	24 0	3 0
Fireman—first-class	29 0	3 0
Leading fireman—first-class	36 0	3 0
Leading fireman—second-class	33 0	3 0
Locomotive fireman	27 0	3 0
I.—GREASERS.		
Greaser or Oiler	20 0	3 0
Greaser or Oiler—first-class	29 0	3 0
Trimmer	16 0	3 0
Fuelman	16 0	3 0
Engine cleaner	16 0	3 0
Boiler cleaner	16 0	3 0
Provided that any person engaged inside the gas or water space of any boiler, flue, or economizer, in cleaning or scraping work shall, whilst so employed, be paid 9d. per hour in addition to his ordinary or overtime rate of pay.		
J.—OTHERS.		
Pile-driving machine	36 0	3 0
All others	—	..

PERIODICAL ADJUSTMENT OF ADULTS' WAGES.

26. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage, as prescribed by clause 27.

Basic Wage.

Place.	Basic Wage (Adjustable). Per Week.	Index Number Set Assigned.
Within 20 miles of G.P.O., Melbourne	£ s. d. 11 17 0	Melbourne
Within 10 miles of Chief P.O., Geelong; or at Warrnambool—same as the contemporaneous basic wage for Melbourne		
Mildura and Gippsland Districts—same as the contemporaneous basic wage for Melbourne		
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week.		
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne		
Bush sawmills wherever situated—3s. less than the contemporaneous basic wage for Melbourne		

ADJUSTMENT OF BASIC WAGE.

27. (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 February, 1954, the amounts of the basic wage shall be as prescribed in clause 26.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, 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.

PERIODICAL ADJUSTMENT OF JUNIORS' WAGES.

28 The wages of juniors shall be the percentages of the contemporaneous basic wage less 6s. prescribed for the area in which they are employed, and in addition thereto the constant loading specified in clause 4, of this Determination. Such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 8th December, 1953.



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, APRIL 30.

[1954

Factories and Shops Acts.

DETERMINATION OF THE ELECTRICAL TRADE BOARD.

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

(b) Electrical Fitting and/or Armature Winding, Electrical Mechanics and/or Wiring were proclaimed on 17th July, 1928, as Apprenticeship Trades under the *Apprenticeship Act 1928* for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, 103 Russell-street, Melbourne, C.1 (price 3d.).

(c) On 16th October, 1939, the Electrical Installation Board was deprived of the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in any business or occupation connected with the installation of electrical fittings, appliances, motors, and heaters including the laying of wires" and such power was conferred exclusively on the Electrical Trade Board.

(d) On 16th October, 1939, the Electrical Supply Board was deprived of the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in—

- (i) the generation or distribution of electricity;
- (ii) the manufacture, repair, or maintenance of electrical appliances when such work is done by generators, distributors, or installers,"

and such power was conferred exclusively on the Electrical Trade Board.

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

- (1) in any process, trade, business, or occupation connected with—

- (a) the generation or distribution of electricity,
- (b) the manufacture, repair, maintenance, and installation of all classes of electrical appliances, including the laying or erection of cables or wires,
- (c) the manufacture of electrical globes and electrical valves;

- (2) in the trade of manufacturing or preparing mica products,"

has made the following Determination, namely:—

1. That as from the 3rd December, 1953, the last Determination of this Board shall be revoked and replaced by this Determination.

No. 309.—12269/53.—PRICE 6D.

Adults.	Wages per Week of 40 Hours.		
	Within a Radius of 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool; and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
(a) General.	£ s. d.	£ s. d.	£ s. d.
Electrician in charge of electrical supply undertaking	15 13 6	16 0 0	15 10 6
Electrical instrument maker and/or repairer (as defined) .. .	15 4 6	15 11 0	15 1 6
Installation inspector and/or tender	14 13 6	15 0 0	14 10 6
Shift electrician	14 9 0	14 15 6	14 6 0
Refrigeration mechanic or serviceman	14 9 0	14 15 6	14 6 0
Electrician in charge of plant and/or installation	14 9 0	14 15 6	14 6 0
Electrical fitter and/or armature winder	14 9 0	14 15 6	14 6 0
Battery fitter	14 9 0	14 15 6	14 6 0
Cable jointer, on high tension (over 6,600 volts)	14 7 6	14 14 0	14 4 6
Cable jointer, on low tension (under 6,600 volts)	14 4 6	14 11 0	14 1 6
Cable jointer's mate	13 0 0	13 6 6	12 17 0
Coremaker (transformers)	13 3 0	13 9 6	13 0 0
Electrical mechanic	14 9 0	14 15 6	14 6 0
Linesman	13 17 0	14 3 6	13 14 0
Linesman's assistant	13 0 0	13 6 6	12 17 0
Patrolman—			
(a) Inspecting and switching circuits, or repairing live feeders or distributors of 600 volt or over, or repairing faults on consumers' premises ..	13 17 0	14 3 6	13 14 0
(b) Inspecting, switching or renewing lamps or fuses on circuits, but not repairing ..	13 2 6	13 9 0	12 19 6
Meter tester (1st grade)	13 16 0	14 2 6	13 13 0
Meter tester (2nd grade)	13 9 0	13 15 6	13 6 0
Meter fixer	13 9 0	13 15 6	13 6 0
Switchboard attendant	13 15 6	14 2 0	13 12 6
Battery attendant	13 1 0	13 7 6	12 18 0
Electrical fitter's and mechanic's assistant	13 0 0	13 6 6	12 17 0
Process worker	12 19 0	13 5 6	12 16 0
Other employees with not less than three months' experience in the metal trades industry	12 6 0	12 12 6	12 3 0
Employee not elsewhere classified	12 0 0	12 6 6	11 17 0
(b) Wet Battery Manufacturing.			
Plante assembler	13 9 0	13 15 6	13 6 0
Battery repairer (factory)	13 6 0	13 12 6	13 3 0
Mixing and pasting by hand	13 4 0	13 10 6	13 1 0
Charging and moulding of grids	13 4 0	13 10 6	13 1 0
Group burning (placing separate chambers in batteries, burning posts to connectors on top of battery)	13 3 0	13 9 6	13 0 0
Formation process	13 1 0	13 7 6	12 18 0
All others in this subdivision	12 19 0	13 5 6	12 16 0

LEADING HANDS.

Leading hands in charge of not less than three and not more than ten employees, 9s. per week extra; more than ten and not more than twenty employees, 18s. per week extra; more than twenty employees, 27s. per week extra.

TRADESMEN IN LARGE POWER HOUSES.

Tradesmen and/or welders, and their assistants employed in large operating power houses (i.e., power houses developing more than 8,000 kilowatts), other than those not on the regular staff, engaged on new construction work, shall be paid 6s. per week extra, and other apprentices and unapprenticed juniors 3s. per week extra; such amount shall be deemed to include all special rates prescribed in clause 5.

This allowance shall continue to be payable to tradesmen attached to the staffs of such power houses while carrying out repairs or maintenance in rotary converter sub-stations which are in regular operation.

Ship Repairing.

Employees engaged on ship repairs shall be paid the following additional margins:—

Tradesmen	s. d.
.. .. .	4 6 per week.
All other labour	3 0

APPRENTICESHIP.

(Other than those covered by the Apprenticeship Commission.)

Apprenticeship Trades.

3. (a) Minors shall not be employed in the following occupations otherwise than under a contract of apprenticeship as hereinafter provided:—

Electrical fitter and/or armature winder (except the winding of armatures by specialized processes),
Electrical mechanic,
Refrigeration mechanic or serviceman.

Contract of Apprenticeship

(b) Every contract of apprenticeship hereinafter made shall contain—

- (i) the names of the parties;
- (ii) the date of birth of the apprentice;
- (iii) a statement of the trade or trades to which the apprentice is to be bound and which he is to be taught during the course and for the purpose of the apprenticeship;
- (iv) a covenant by the master to teach and instruct or cause the apprentice to be taught or instructed in the trade to which the apprentice is bound;
- (v) the date at which the apprenticeship is to commence or from which it is to be calculated;
- (vi) all other conditions of apprenticeship.

Cancellation or Suspension of Indenture.

(c) Subject to the approval of the Secretary for Labour, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if, in the opinion of the Secretary for Labour, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provision of this clause shall be null and void, and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

Instruction in Welding.

(d) The training of apprentices to electrical fitting shall include sufficient instruction in welding to enable them to perform the work of their trade in the shop in which they are trained.

Proportion.

(e) (i) An employer shall not employ apprentices in excess of the proportion hereinafter prescribed.
Subject to this sub-clause the proportion of apprentices who may be taken by an employer shall not exceed one apprentice to every three or fraction of three tradesmen in the trade concerned.

In the trade of—

Electrical mechanic,
the proportion of apprentices who may be taken by an employer shall not exceed one apprentice for every two or fraction of two tradesmen in the trade concerned.

For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and in ascertaining such proportion an employer actually working in any workshop shall be deemed to be a tradesman.

A person who is, for a term not exceeding two years, taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

(ii) Notwithstanding anything hereinbefore provided in the trades of—

Electrical fitter,
Electrical mechanic, and
Refrigeration mechanic or serviceman,
an employer may with the consent of an apprenticeship authority and upon satisfying that authority that he has the plant, equipment and staff necessary for the proper tuition of each apprentice concerned take apprentices in excess of the proportion herein prescribed. Until further order apprentices so taken shall not be counted in future calculations of the proportion of apprentices to journeymen authorized by the Determination.

Period of Apprenticeship.

(f) The periods of apprenticeship shall be as follows:—

If the apprentice, when indentured, is under the age of seventeen years—five years; if over the age of seventeen—four or five years, at the option of the contracting parties.

Adult Apprentices.

(g) Any apprentice who cannot complete his full term of apprenticeship before reaching his 22nd birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

Probationary Period.

(h) Minors may be taken on probation for three months, and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the appropriate apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

Wages.

(i) The minimum weekly rates of wage for apprentices shall be the undermentioned percentages of the contemporaneous basic wage prescribed for the area in which they are employed, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

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

(j) Wages per Week of 40 Hours.

	Percentage of Basic Wage.	Total Wage Payable—		
		Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong, at Warrambool; and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	s. d.	s. d.	s. d.	s. d.
<i>Four and Five-year Terms.</i>				
1st year	32	3 16 0	3 18 0	3 15 0
2nd year	43	5 2 0	5 4 6	5 0 6
3rd year	54	6 8 0	6 11 6	6 6 6
4th year	63	9 16 6	10 2 0	9 14 0
5th year	100 plus 6s.	12 3 0	12 9 6	12 0 0
<i>Four-year Term.—Apprenticeship Commencing after the Age of 17 Years.</i>				
1st year	34	4 0 6	4 3 0	3 19 6
2nd year	54	6 8 0	6 11 6	6 6 6
3rd year	63	9 16 6	10 2 0	9 14 0
4th year	100 plus 6s.	12 3 0	12 9 6	12 0 0

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

(k) The ordinary hours of employment of apprentices shall not in each workshop exceed those of the journeymen.

Overtime and Shift Work.

(l) No apprentice under the age of 18 years shall be required to work overtime or shift work unless he so desires.

No apprentice shall except in an emergency work or be required to work overtime or shift work at times which would prevent his attendance at technical school as required by any statute, Determination or regulation applicable to him.

Payment by Results.

(m) An apprentice shall not work under any system of payment by results.

Lost Time.

(n) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or in which he has unlawfully absented himself without the master's consent, shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

(o) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

Attendance at Technical Schools.

(p) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

Annual and Sick Leave.

(q) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 16 and 17 hereof respectively.

FEMALES AND UNAPPRENTICED MALE JUNIORS.

4. (a) Subject to the exceptions hereinafter provided, the minimum rates of wage for adult and junior females and for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination shall be as follows:—

Wages per Week of 40 Hours.

	*Percentage of Basic Wage.	Margin.	Total Wage Payable—		
			Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool; and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
<i>I.—Adult Females.</i>		<i>s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>
Under one month's experience	75	..	8 17 6	9 2 6	8 15 6
All others	75	16 0	9 13 6	9 18 6	9 11 6
<i>II.—Junior Females.</i>		<i>Additional Amounts.</i>			
17 years of age and under	52	3 6	4 16 0	4 18 6	4 15 0
18 years of age	62	4 0	5 14 0	5 17 0	5 13 0
19 years of age	72	4 6	6 12 6	6 16 0	6 11 0
20 years of age	82	5 0	7 10 6	7 14 6	7 9 0
<i>III.—Junior Males.</i>					
Under 16 years of age	24	2 0	2 19 0	3 0 6	2 18 0
16 years of age	34	3 0	4 3 6	4 6 0	4 2 6
17 years of age	46	4 0	5 13 0	5 16 0	5 11 6
18 years of age	58	5 0	7 2 6	7 6 0	7 0 6
19 years of age	73	6 0	8 19 0	9 4 0	8 17 0
20 years of age	88	7 0	10 15 6	11 1 6	10 13 0

* The percentages for junior females relate to the female basic wage, but, in all other cases, to the male basic wage.

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

(b) The minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the additional amount prescribed for such an employee:

Prohibited Occupations.

(c) Junior employees shall not be employed:—

if under the age of 16 years—

on oil or gas burners or fires used for heating of small articles; or
using electric arc or oxy acetylene blow pipe.

SPECIAL RATES.

5. In addition to the wages prescribed in clauses 2, 3, and 4 hereof, the following special rates and allowances shall be paid to employees, including apprentices, improvers, and unapprenticed juniors:—

Boiling-Down Works.

(a) Working in boiling-down works—3d. per hour extra.

Cold Places.

(b) Working for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, 4d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.

Confined Spaces.

(c) Working in confined space (as defined), 6d. per hour extra.

Dirty Work.

(d) Work, other than ship repair work, which a foreman and workman shall agree is of an unusually dirty or offensive nature, 4d. per hour extra.

Ship repair work which a foreman and workman shall agree is of an unusually dirty or offensive nature—6d. per hour extra.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one), or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day in which case it shall be given during the next working day), or else the said allowance shall be paid.

Height Money.

(e) Employees other than riggers and spicers engaged in the erection, repair and/or maintenance of steel frame buildings, bridges, gasometers, and similar structures, and electrical tradesmen and their assistants engaged in the erection, repair and maintenance of radar or electrical equipment on masts of ships or other structures at a height in each case of 50 feet or more above the nearest horizontal plane shall be paid at the rate of 10s. per week extra.

Hot Places.

(f) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 4d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit 6d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.

Lead Works.

(g) Working in lead works—3d. per hour extra.

Meat Digestors and Oil Tanks.

(h) Working on repairs in oil tanks or meat digestors—4d. per hour extra. Provided that if any employee is so engaged for more than half of one day or shift he shall be paid the prescribed allowance for the whole day or shift.

Sanitary Works.

(i) Working in sanitary works—3d. per hour extra.

Ships Loading Bulk Wheat.

(j) An employee working aboard a ship while bulk wheat is being loaded into the ship and he is subject to the dust arising from such loading shall be paid 6d. per hour extra while so working.

Slag Wool.

(k) Employees handling loose slag wool, loose insulwool or other loose material of a like nature used for providing insulation against heat, cold or noise, shall when so employed on ship construction or ship repairing or on the construction, repair or demolition of furnaces, walls, floors and/or ceilings be paid 6d. per hour extra.

Slaughtering Yards.

(l) Working in slaughtering yards—3d. per hour extra.

Underground Mine Work.

(m) Electricians working underground in mines shall be paid 10 per cent. extra.

War Damaged Ships.

(n) All employees engaged in the cutting and removal of torn, twisted, and displaced structural materials from vessels which have been damaged by bomb, mine, shell, or torpedo shall be paid extra rates as follows:—

- (i) where such damaged structural materials are covered in oil residue and/or other unusually obnoxious substances, and there is a risk of such materials falling or there are difficulties in the way of securing a safe foothold for working—4d. per hour extra;
- (ii) where the work is carried out in the presence of explosives or combustible materials under conditions under which there is a risk of fire or explosion—6d. per hour extra;
- (iii) where as well as working under the conditions specified in paragraph (i) hereof an employee works under those specified in paragraph (ii) hereof—8d. per hour extra.

The question of whether the conditions specified in paragraphs (i) or (ii) hereof or both of them exist in any particular case shall be settled by agreement between the foreman and the workman concerned provided that in cases of disagreement the matter shall be settled as provided in sub-clause (d) hereof in the case of dirty work, and the provisions of that sub-clause shall apply to claims under this sub-clause.

In any case in which it is agreed or decided that the specified conditions exist the extra rate prescribed shall be paid for the whole of the time the employees are engaged cutting and removing the materials mentioned.

Wet Places.

(o) An employee working in any place where his clothing or boots become saturated, whether by water, oil, or otherwise, shall be paid 4d. per hour extra: provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable and effective protective clothing and/or footwear: And provided further that any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

Special Rates not Cumulative.

(p) Where more than one of the disabilities entitling a workman to extra rates exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

Rates not Subject to Penalty Additions.

(g) The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

TRAVELLING AND BOARD.

6. (a) An employee who on any day or from day to day is required to work at a job away from his accustomed workshop or depot shall at the direction of his employer present himself for work at such job at the usual starting time; but for all time reasonably spent in reaching and returning from such job (in excess of the time normally spent in travelling from his home to such workshop or depot and returning) he shall be paid travelling time, and also any fares reasonably incurred in excess of those normally incurred in travelling between his home and such workshop or depot.

An employee who with the approval of his employer uses his own means of transport for travelling to or from outside jobs shall be paid the amount of excess fares which he would have incurred in using public transport unless he has an arrangement with his employer for a regular allowance.

(b) An employee—

(i) engaged in one locality to work in another; or

(ii) sent other than at his own request, from his usual locality to another for employment which can reasonably be regarded as permanent, involving a change of residence, shall be paid travelling time whilst necessarily travelling between such localities and, for a period not exceeding three months' expenses. Provided that such expenses shall cease after he has taken up permanent residence or abode at the new location.

(c) An employee sent from his usual locality to another (in circumstances other than those prescribed in sub-clause (b) hereof) and required to remain away from his usual place of abode shall be paid travelling time whilst necessarily travelling between such localities, and expenses whilst so absent from his usual locality.

(d) The rate of pay for travelling time shall be ordinary rates, except on Sundays and holidays, when it shall be time and a half.

(e) The maximum travelling time to be paid for shall be twelve hours out of every twenty-four hours, or when sleeping berth is provided by the employer for all-night travel, eight hours out of every twenty-four.

(f) "Expenses" for the purpose of this clause means:—

(i) All fares reasonably incurred.

For boat travel the fares allowed shall be first-class on coastal boats, and on interstate boats where there is no second-class as distinct from steerage; and for rail travel, second-class, except where all-night travelling is involved, when they shall be first-class, with sleeping berth where available.

(ii) Reasonable expenses incurred whilst travelling, including 4s for each meal taken.

(iii) A reasonable allowance to cover the cost incurred for board and lodging.

(g) A camping allowance of 6s. 6d. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles or other temporary shelter is necessary: Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day, including Sunday.

(A) Until further order an employer shall be free to engage labour on the site of a job carried on away from the workshop without payment of any travelling time or fares, unless such employee is sent from the workshop: Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

MOTOR ALLOWANCE REFRIGERATOR SERVICEMEN.

7. Employees engaged on repairs to refrigeration plants outside the employer's business shall be provided with means of transport by the employer, or, in the case of employees who use their own vehicles, shall be paid the additional minimum allowance as follows:—

	Per Week.
	£ s. d.
Motor car	5 0 0

HOURS OF WORK.*Day Workers.*

8. (a) Subject to the exception hereinafter provided the ordinary hours of work shall be 40 per week to be worked in five days of not more than 8 hours (Monday to Friday inclusive) and one day (Saturday) of not more than 4 hours; or five days (Monday to Friday inclusive) of 8 hours each continuously except for meal breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday.

In localities where the recognized half-holiday is on a day other than Saturday the day so recognized may be substituted for Saturday for all the purposes of this Determination.

Provided that the spread of hours or the daily hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

Five-Day Week.

(b) In any case in which the ordinary week's work of 40 hours can be performed in five days as aforesaid without—

- (i) detriment to the public interest;
- (ii) loss in the value of goods handled or to be handled;
- (iii) reducing the efficiency of production; or
- (iv) reducing the efficacy of the necessary service,

the employer shall allow those employees who so desire to do so to work their ordinary hours in five days as aforesaid.

This sub-clause shall not apply to employees engaged on the maintenance and servicing of plant.

It is a condition of the allowing of a five-day week hereunder that if required employees shall comply with the reasonable and lawful orders of the employer as to working overtime, including the working of overtime on Saturday.

Electricians.

(c) The ordinary hours of electricians in charge of plant and/or installation shall be the same per week as the hours of the majority of the employees working with or by means of the light or heat or power in the establishment where the electrician in charge is engaged, if that number of hours is within 40 to 48 per week. If that number is below 40 or above 48 the ordinary working hours of the electrician in charge shall be 40 or 48 respectively.

EMERGENCY PROVISIONS.

8A. (a) Notwithstanding anything elsewhere contained in this Determination, the following provisions shall apply in the case of an employer who is subject to restriction or rationing in the use of electric energy and/or coal gas and/or the emergency disconnection thereof in accordance with orders or regulations approved by the appropriate lawful authority.

- (i) If by reason of such restriction or rationing or emergency disconnection 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—
 - (1) 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;
 - (2) where an employee commences work he shall be entitled to be paid for four hours' work;
 - (3) this sub-clause shall not apply to apprentices.
- (ii) He may require any day worker to perform his ordinary hours of work (or any such ordinary hours of work) at any time on any day other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work—

- (1) 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;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.;
- (3) for work performed at all other times other than on a Sunday—ordinary rates plus 10 per cent.

Provided that when a worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary day rates.

- (iii) He may require any shift worker to perform his hours of work at any time other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work:—

- (1) for day work or day shift work—ordinary time;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.;
- (3) for afternoon and night shifts—ordinary rates plus 10 per cent.

Provided that when a shift worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary rates.

- (4) Nothing contained in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers on afternoon and night only at the date of such interference as aforesaid and who continue to work on such shifts.

- (iv) 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 interference, 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; and provided also that the employer shall, whenever it is practicable, consult with the representative of the Union or Unions before acting under this paragraph.

(b) 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 purpose of providing employment for his employees whilst such restriction or rationing or emergency disconnection is in force and who—

- (i) is unable usefully to employ an employee for the whole of any day or shift by reason of a breakdown in such plant through no fault of his own;
- (ii) because of the inability of the auxiliary power plant to meet the normal demands for power—
 - (1) 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
 - (2) finds it necessary to alter the time at which meal breaks are usually taken and/or the duration of them.

SHIFT WORK.

Definitions.

9. (a) For the purposes of this clause—

- "Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.
- "Continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the employer.
- "Night shift" means any shift finishing subsequent to midnight, and at or before 8 a.m.
- "Rostered shift" means a shift of which the employee concerned has had at least 48 hours' notice.

Hours—Continuous Work Shifts.

- (b) This sub-clause shall apply to shift workers on continuous work as hereinbefore defined.

The ordinary hours of such shift workers shall not exceed—

- (i) 8 in any one day; or
- (ii) 48 in any one week; or
- (iii) 88 in 14 consecutive days; or
- (iv) 160 in 28 consecutive days.

Subject to the following conditions, such shift workers shall work at such times as the employer may require:—

- (i) A shift shall consist of not more than eight hours, inclusive of crib time.
- (ii) Except at the regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.
- (iii) Twenty minutes shall be allowed to shift workers each shift for crib, which shall be counted as time worked.

Hours—Other than Continuous Work

- (c) This sub-clause shall apply to shift workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

- (i) 40 in any week, to be worked in five shifts of 8 hours on Monday to Friday inclusive, or five shifts of not more than eight hours and one shift (Saturday) of not more than four hours; or
- (ii) 80 in fourteen consecutive days, in which case an employee shall not, without payment for overtime be required to work more than eight consecutive hours on any shift or more than six shifts in any week; or
- (iii) 120 in 21 consecutive days, in which case an employee shall not, without payment for overtime be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

Except at regular change-over of shifts an employee shall not be required to work more than one shift in each 24 hours.

Rosters.

- (d) Shift rosters shall specify the commencing and finishing times of ordinary working hours of the respective shifts.

Variation by Agreement.

- (e) The method of working shifts may in any case be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment.

The time of commencing and finishing shifts once having been determined may be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment, or in the absence of agreement by seven days' notice of alteration given by the employer to the employees.

Afternoon or Night Shift Allowances.

(f) Shift workers on continuous work whilst on afternoon or night shifts shall be paid 7½ per cent. more than the ordinary rates for such shifts.

Shift workers on other than continuous work whilst on afternoon or night shifts shall be paid 10 per cent more than the ordinary rates for such shifts.

Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop or for at least six successive afternoons or nights in a six-day workshop shall be paid at the rate of time and a half.

An employee who—

(i) during a period of engagement on shift works night shift only; or

(ii) remains on night shift for a longer period than four consecutive weeks; or

(iii) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each shift cycle,

shall during such engagement, period or cycle, be paid at the rate of time and a quarter for all time worked during ordinary working hours on such night shifts.

(fi) The minimum rate to be paid to any shift worker for work performed between midnight on Friday and midnight on Saturday shall be time and a quarter. Such extra rate to be in substitution for and not cumulative upon the shift premiums prescribed in the first and second paragraphs of sub-clause (f) hereof.

Overtime.

(g) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination or on a shift other than a rostered shift shall—

(i) if employed on continuous work be paid at the rate of double time; or

(ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter, except in each case when the time is worked—

(iii) by arrangement between the employees themselves;

(iv) for the purpose of effecting the customary rotation of shifts; or

(v) is due to the fact that the relief man does not come on duty at the proper time; or

(vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 15 (b) hereof.

Provided that when not less than eight hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

Compulsory Overtime.

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

Sundays and Holidays.

(h) Shift workers on continuous work shifts for work done on a rostered shift the major portion of which is performed on a Sunday or holiday shall be paid at the rate of time and a half.

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 12 of this Determination. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate; provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

Where shifts fall partly on a holiday that shift the major portion of which falls on a holiday shall be regarded as the holiday shift.

Junior and Female Employees.

(i) Female shift workers, apprentices or juniors whilst on afternoon or night shifts shall be paid not less than the rates hereinbefore prescribed or 1s. 6d. per shift whichever is the higher.

MIXED FUNCTIONS.

10. An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

OVERTIME.

11. (a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that in the case of an apprentice or a junior, the rate for overtime shall be not less than the rate herein prescribed or 2s. 3d. per hour whichever is the higher.

Except as provided in this sub-clause or sub-clause (b) hereof in computing overtime each day's work shall stand alone.

Rest Period After Overtime.

(b) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least eight consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

(c) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (b) of this clause where the actual time worked is less than three hours on such recall or on each of such recalls.

Saturday Work—Five-day Week.

(d) A day worker on a five-day week required to work overtime on a Saturday shall be afforded at least three hours' work or paid for three hours at the appropriate rate except where such overtime is continuous with overtime commenced on the day previous.

Standing By.

(e) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall until released be paid standing-by time at ordinary rates from the time from which he is so to hold himself in readiness. Provided that the existence of a custom shall not operate to relieve an employer from paying a refrigeration serviceman the rate herein prescribed.

Meal Hours—General.

(f) For work done during meal hours and thereafter until a meal hour break is allowed time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

Meal Hours—Maintenance Employees.

(g) Subject to the provisions of the second part of sub-clause (f) of this clause an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

Crib Time.

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four such hours of overtime worked if the employee continues work after such crib time.

Provided that where a day worker on a five-day week is required to work overtime on a Saturday the first prescribed crib time shall, if occurring between 10 a.m. and 1 p.m., be paid at ordinary rates.

Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

Tea Money.

(i) An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 4s., and 2s. 8d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshops who can reasonably return home for meals.

Unless the employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and/or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided, but which are surplus.

Transport of Employees.

(j) When an employee, after having worked overtime, or a shift for which he has not been regularly rostered, finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home, or pay him his current wage for the time reasonably occupied in reaching his home.

Compulsory Overtime.

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

HOLIDAYS AND SUNDAY WORK.

12. (a) 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 Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays this provision shall apply only to the day so substituted. Any employer who has given to his employees notice under paragraph (i) of sub-clause (m) of clause 17 of this Determination of his intention to close down his plant or section or sections thereof for the purpose of allowing annual leave may alter the date of such intended closing down by substituting a date no more than two days earlier than the date of which notice was given upon giving at least one week's notice of such alteration.

By agreement between any employer and his employees other days may be substituted for the said days or any of them as to such employer's undertaking.

(b) Except as provided in sub-clause 9 (h) an employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays, such double time to continue until he is relieved from duty.

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall on being relieved from duty be entitled to be absent until he has had eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(d) Employees, other than on shift or engaged in maintaining the continuity of electric light and power, required to work on Sundays or public holidays, or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays, shall be paid for a minimum of three hours' work.

(e) Where an employee is absent from his or her employment on the working day before or the working day after a public holiday without reasonable excuse or without the consent of the employer, the employee shall not be entitled to payment for such a holiday.

12A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 12 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

EXTRA RATES NOT CUMULATIVE.

13. Extra rates in this Determination, except rates prescribed in clause 5 are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

14. (a) Wages shall be paid weekly or fortnightly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employees of electric supply undertakings nor to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon termination of the employment wages due to an employee shall be paid to him on the day of such termination, or forwarded to him by post on the next working day.

(d) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work, shall be paid at overtime rates after that quarter hour, with a minimum of a quarter of an hour.

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

CONTRACT OF EMPLOYMENT.

Weekly Employment.

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

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible. Where an employee has given or been given notice as aforesaid he shall continue in his employment until the date of the expiration of such notice. Any employee who having given or been given notice as aforesaid, without reasonable cause (proof of which shall lie on him) absents himself from work during such period, shall be deemed to have abandoned his employment and shall not be entitled to payment for work done by him within that period.

Casual Employment.

(c) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he or she performs, plus 10 per cent.

Late Comers.

(d) Notwithstanding anything elsewhere contained in this Determination an employer may select and utilize for timekeeping purposes any fractional or decimal proportion of an hour (not exceeding a quarter of an hour) and may apply such proportion in the calculation of the working time of employees who without reasonable cause promptly communicated to the employer, report for duty after their appointed starting times or cease duty before their appointed finishing times.

An employer who adopts a proportion for the aforesaid purpose shall apply the same proportion for the calculation of overtime.

SICK LEAVE.

16. (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.
- (ii) He shall within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause, an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly-qualified medical practitioner that in his, the medical practitioner's, opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) 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 the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the 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 for no longer from the end of the year in which it accrues.

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist, or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

ANNUAL LEAVE.

Period of Leave.

17. (a) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee on weekly hiring in any one or more of the occupations to which this Determination applies.

Seven-day Shift Workers.

(b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave including non-working days.

Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-day shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Annual Leave Exclusive of Public Holidays.

(c) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 12 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day, there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave he shall not be entitled to be paid for any such holiday.

Broken Leave.

(d) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(e) For the purposes of this clause 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 merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

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 inform the employer in writing if practicable within 24 hours of 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. A notification given by an employee pursuant to clause 16 shall be accepted as a notification under this sub-clause.

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.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to each union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(f) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

Where the employer is a successor or assignee or transmittee 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 transmittee 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.

Calculation of Month.

(g) 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.

Leave to be Taken.

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

Time of Taking Leave.

(i) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(j) An employer may allow 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 after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

Where leave has been granted to an employee pursuant to this sub-clause 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 by clause 12 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a shift worker or an employee taking his leave pursuant to sub-clause (d) of this clause either of whom shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (l) hereof, wages shall be at the rate prescribed by clauses 2, 3 and 4 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

Proportionate Leave on Dismissal.

(l) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee the employee shall be paid at his ordinary rate of wage for $6\frac{2}{3}$ hours at the same rate in respect of each completed month of continuous service, the service being service in respect of which leave has not been granted hereunder.

Annus Close Down.

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

- (i) He may by giving 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 subject to sub-clause (f) hereof 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 re-opened for work.
Provided that all time during which an employee is stood off without pay for the purposes of this sub-clause shall be deemed to be time of service in the next twelve-monthly qualifying period.
- (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 (i) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

MISCELLANEOUS.

Accommodation and Conveniences.—Boiling Water.

18. (a) (i) Employers shall provide boiling water for employees at meal times.

Drinking Water.

- (ii) Employers shall provide for the use of employees in workshops a sufficient supply of wholesome cool drinking water from bubble taps or other suitable drinking fountains.

First-Aid Outfit.

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

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises and that such chest shall be equipped and supplied with the following articles —

Articles.	Quantities to be Kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton, and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolized	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	} An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

Lockers.

- (iv) An employer shall at some reasonably convenient place on his premises provide a suitable locker for each employee in his workshop, or hanging facilities which afford reasonable protection for employees' clothes.

Washing and Sanitary Conveniences.

- (v) Employers shall provide proper and sufficient washing and sanitary conveniences.

*Clothing, Equipment, and Tools.**Damage to Clothing and Tools.*

- (b) (i) Compensation to the extent of the damage sustained shall be made where in the course of the work clothing or tools are damaged or destroyed by fire or molten metal or through the use of corrosive substances. Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

Gas Masks.

- (ii) The employer shall ensure that sufficient masks are available to enable each employee when engaged on repairs to refrigeration plants outside the employer's premises, to take one with him.

Gloves.

- (iii) Suitable canvas or leather gloves shall be provided by employers for employees manually hauling underground cables or ring mains and similar cables on ships and suitable gloves or pads for such other work as the foreman and employee may agree.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one) or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day), or else the said equipment shall be provided.

Goggles.

- (iv) Suitable mica or other goggles shall be provided by the employer for each employee using emery wheels or where used by more than one employee such goggles shall be sterilized before being used by another employee. An employee when working on emery wheels shall wear the goggles provided for his protection.

Goggles containing celluloid shall not be considered suitable for the purposes of this provision.

Masks.

(v) Where necessary suitable masks shall be provided for employees required to use compressed air for blowing dust from electrical machinery or equipment. An employee when performing such work shall wear the mask provided for his protection. Masks containing celluloid shall not be considered suitable for the purposes of this provision.

Protective Equipment—Welding.

(vi) Employers shall provide a sufficient supply of the undermentioned equipment to enable each welder and his assistant when engaged on work necessitating its use to be supplied with same:—

- (a) Suitable asbestos sheets,
- (b) Hand screens or helmets fitted with coloured glass (or in the case of oxy-acetylene operators protective glasses with side shields),
- (c) Anti-flash goggles,
- (d) Aprons, leather sleeves and leggings (or coveralls of flame-proof material) and gauntlet gloves; and
- (e) Gum or other insulating boots when working in places so damp that danger of electric shock exists.

An employee who is pursuant to this paragraph supplied with any of the equipment specified herein shall wear or use as the case may be such equipment in such a way as to achieve the purpose for which it is supplied.

Where electric arc operators are working screens which shall be suitable and sufficient for the purpose shall be provided by the employer for the protection of employees from flash.

Safety Gear for Live Work.

(vii) Adequate safety gear (including insulating gloves, mats, and/or shields where necessary) shall be provided by employers for employees required to work on live electrical equipment.

Tools.

(viii) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination. The employee shall replace or pay for any tools so provided if lost through his negligence.

Tools—Electrical Trades.

(ix) An electrical trades employee shall not be required to carry tools and/or material exceeding 40 lb. in weight or 6 feet in length to or from the job.

If an electrical trades employee on jobs away from the workshop is unable to arrange suitable free storage accommodation for his tools, the employer shall upon request ensure the provision of same.

Females—Rest Period and Seats.

(c) Female employees shall be allowed a rest period of not less than ten minutes during each day or shift, to be taken during the first or second half of the day or shift as may be decided by a majority of the female employees in a shop.

When requested by employees and where practicable suitable seats shall be provided by the employer for female employees.

Ventilation.

(d) While any work is being carried on in any confined or enclosed space in which—

- (i) fumes, gases, dust or vapours which may be dangerous or injurious are liable to be present or to be generated in the course of the work; or
- (ii) the atmosphere may otherwise become vitiated,

the employer shall install a suction exhaust apparatus, through which by means of a power-driven fan air is drawn from the vicinity of the work in relation to which it is installed.

Where it is impracticable to install such suction exhaust apparatus the employer shall take all such steps as are necessary to ensure safe working conditions in any such confined or enclosed space.

This sub-clause shall not be deemed to be inconsistent with the Harmful Gases, Vapours, Mists, Smokes, and Dust Regulations 1945 (published in the *Victoria Government Gazette* No. 21, dated 7th February, 1945) and shall not apply to any processes or occupations to which those Regulations apply.

SHOP STEWARDS.

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

RIGHT OF ENTRY OF UNION OFFICIALS.

20. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions:—

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

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

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

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

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

(Name of organization.)

THIS IS TO CERTIFY THAT
above-named organization.

is a duly accredited representative of the
General Secretary.

(SEAL.)

Date—

Specimen signature of holder.
Strictly not transferable.

TIME AND WAGES BOOK.

21. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his 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 record 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 when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official 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 union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed. Provided also that only one demand for such inspection shall be made in 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 record relating to the suspected breach of the Determination.

NOTICE BOARD.

22. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

Any notice posted on such board not so signed or countersigned may be removed by an accredited union representative or by the employer.

DEFINITIONS.

General.

23. "Confined space" means a compartment, space or place the dimensions of which necessitate an employee working a stooped or otherwise cramped position, or without proper ventilation, and includes such a space—

(i) in the case of a ship, inside complete tanks, chain lockers, and peaks; in bilges, under engine beds, under engine room and stokehold floors, or under or inside boilers;

(ii) in the case of a locomotive, inside the barrels of boilers, fire boxes, water spaces of tenders, side tanks, bunker tanks, saddle tanks, or smoke boxes;

(iii) in other cases, inside boilers, steam drums, mud drums, fire boxes of vertical or road vehicle boilers, furnaces, flues, combustion chambers, receivers, buoys, tanks, superheaters, or economizers.

"Process worker" means an employee engaged on—

(i) repetition work on any automatic, semi-automatic, or single-purpose machine or any machine fitted with jigs, gauges, or other tools rendering operations mechanical (and in connexion with which he is not responsible for the setting up of the machine, nor for the dimensions of the products other than by checking with gauges, which gauges shall be either unadjustable or, if adjustable, shall not be set by the operator); or

(ii) in the assembling of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or

(iii) in specialized processes—not requiring use of hand tools except hammers, pliers, screw-drivers, spanners and files, and such tools as are necessary for deburring or removing rags or edging;

(iv) in the assembling of typewriters, and/or bookkeeping, and/or adding, and/or calculating, and/or duplicating machines, for the first time in Australia, but does not include tuning, and/or testing, and/or adjustment of such machines.

"Ship repairs" means—

(i) all repair work done on ships;

(ii) all work other than the making of spare parts and stores done in a workshop used for ship repairs only;

(iii) work done in a workshop used for both ship repairing, general engineering, metal moulding, steel construction, and other heavy metal fabrication on which employees are engaged both on the ship and in the workshop.

"Sunday" means all time between midnight Saturday and midnight Sunday.

"Year" means the period between the 1st day of June in each year and the next 31st day of May.

"Electrical instrument maker and/or repairer" means an adult employee in an electric supply undertaking who is required to design, test, repair, and build electrical measuring and/or recording appliances and/or instruments (not including consumers meters) and carry out experiments on same in a workshop or laboratory.

"Plante assembler" means an adult male employee engaged in the building of batteries with plante, kathode or train lighting type plates, who in the course of his work is required to burn groups or connectors.

"Electrical fitter" means a fitter mainly engaged in making, fitting, or repairing electrical machines, instruments, or appliances, who in the course of his work applies electrical knowledge.

"Electrical mechanic" means a tradesman mainly engaged on electrical installation, repair, and maintenance work.

"Shift electrician" means an electrician of at least five years' experience who is in charge of a generating station or rotary converter sub-station during his shift, and is not constantly under the supervision of a superior officer.

"Battery fitter" means an adult employee wholly engaged in the erection, overhauling, or repairing of storage batteries.

"Cable jointer" means an adult workman employed as a jointer of underground cables or employed fixing or repairing underground services in pipes.

"Meter tester—1st grade," means an adult employee engaged in the testing, adjustment, and replacement of standard parts of poly-phase electricity meters on consumers' premises and poly-phase meters in a workshop.

"Meter tester—2nd grade," means an adult employee engaged in the testing, adjustment, and replacement of standard parts of single-phase electricity meters, including testing of meters in batches in a workshop.

"Linesman" means an adult employee engaged in erecting, fixing, maintaining or repairing overhead conductors or electrical apparatus, or fixing service cut-out boxes or supports for meters.

"Linesman's assistant" means an adult employee engaged in assisting a linesman but who shall not work within 6 feet of any live conductor.

SPECIAL CONDITIONS APPLICABLE TO EMPLOYMENT IN ELECTRIC SUPPLY UNDERTAKINGS.

24. The following special conditions shall apply to all employees employed in undertakings concerned with the installation, maintenance, and supply of electric light and power:—

Leading Hands.

(a) As a proviso to "Leading Hands" in clause 2 of this Determination.

Provided that an employee detailed to act as leading hand in charge of two other adult employees working away from power station or workshop (one of whom is of the same classification as himself) shall be paid 9s. per week extra.

(a) (In lieu of clause 8 (a) of this Determination "Hours of Work")—

Day Workers.

The ordinary hours of employment shall be 40 per week to be worked in five days of not more than 8 hours (Monday to Friday inclusive), and one day (Saturday) of not more than 4 hours; or five days (Monday to Friday inclusive) of 8 hours each; in either case, to be worked continuously except for meal breaks at the discretion of the employer between 7 a.m. and 6 p.m. on Monday to Friday inclusive, and 7 a.m. and 12.30 p.m. on Saturday; Provided that the spread of hours or daily hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between the employer and the union representative of the employees concerned.

By agreement between any employer and his employees, ordinary hours may be worked on the basis of 80 hours per fortnight with one week of not more than 48 hours.

Subject to the continuance of existing conditions, patrolmen not on shift work shall work the prescribed weekly hours at such hours as the employer may direct.

(b) (In lieu of clause 9 of this Determination "Shift Work")—

Shift Workers Generally.

(i) Employees working on shift work shall work such shifts as may be required not averaging more than one in each 24 hours nor averaging any number more than six for every seven days.

A shift shall consist of eight hours inclusive of such time as by mutual arrangement may be taken for meals.

The ordinary hours of shift workers shall not exceed 80 in 14 consecutive days.

For working on any Sunday or holiday shift a shift worker shall be paid time and a half for such shift.

Continuous Shift Workers.

(ii) Employees engaged on continuous work on afternoon or night shifts shall be paid 7½ per cent. extra for such shifts.

Subject to the provisions of paragraph (c) of this clause, shift workers on continuous work shall be paid at the rate of double time for all time worked in excess of shift hours, except when such overtime is due to arrangement between the employees themselves or is necessary in effecting periodical rotation of shifts, or is owing to the failure of a shift man, who should relieve, to present himself for duty at the appointed time, in which case ordinary time only shall be paid.

Non-continuous Shift Workers.

(iii) Employees engaged on non-continuous work working on afternoon or night shift which does not continue for more than three successive afternoons or nights shall be paid for such shifts at the rate of time and a half, and where such shifts continue for more than three successive afternoons or nights, at the rates prescribed by clause 9 (f) of this Determination.

Subject to the provisions of paragraph (c) of this clause, shift workers on non-continuous work shall for all time worked in excess of their ordinary hours for each shift be paid at the rate of time and a half for the first four hours and double time thereafter.

(c) The following sub-clause is added to clause 11:—

Employees working overtime on the repair or maintenance of plant or equipment necessary for the continuity of supply of electric energy, shall be paid for all such overtime at the rate of time and a half.

(d) In lieu of clause 11 (c):—

An employee recalled to work overtime after leaving his employer's business premises, and who returns to his home on completion of such overtime work, shall be paid for a minimum of one hour's work at the appropriate rate; and in such circumstances, time reasonably spent in getting to and from work shall be regarded as time worked.

(e) Clause 11 (h) shall not apply to employees covered by this clause.

(f) All prevailing customs for holidays or annual leave of absence shall continue until further order, providing they are not less favourable to employees than those prescribed by this Determination for employees of the same classes.

PERIODICAL ADJUSTMENT OF WAGES.

25. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provision of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed by clause 26.

Basic Wage.

Place.	Adult Males Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Victoria— Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool; and within Mildura and Gippsland districts Yallourn—6s. 6d. in excess of basic wage for Melbourne Elsewhere—3s. less than the contemporaneous basic wage for Melbourne	11 17 0	Melbourne

The basic wage for adult females shall be 75 per cent. of the basic wage for adult males, calculated to the nearest 6d. half or less than half of 6d. in a result to be disregarded.

ADJUSTMENT OF BASIC WAGE.

26. (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 February, 1954, the amount of the basic wage shall be as prescribed in clause 25.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, 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.

The wages of adult females, junior females, and male juniors shall be the percentages of the contemporaneous basic wage prescribed for the area in which they are employed, and in addition thereto the additional amount specified in clause 4 of this Determination.

MARGINAL RATES.

26. In addition to the adult male basic wage provided in clause 25 the margins set out in this clause shall be the minimum rate payable to employees therein named:—

Classification.	Margin Per Week.
(a) General.	s. d.
Electrician in charge of electrical supply undertaking	76 6
Electrical instrument maker and/or repairer (as defined)	67 6
Installation inspector and/or tester	56 6
Shift electrician	52 0
Refrigeration mechanic or serviceman	52 0
Electrician in charge of plant and/or installation	52 0
Electrical fitter and/or armature winder	52 0
Battery fitter	52 0
Cable jointer, on high tension (over 6,600 volts)	50 6
Cable jointer, on low tension (under 6,600 volts)	47 6
Cable jointer's mate	23 0
Coremaker (transformer)	26 0
Electrical mechanic	52 0
Linesman	40 0
Linesman's assistant	23 0
Patrolman—	
(a) Inspecting and switching circuits, or repairing live feeders or distributors of 600 volt or over, or repairing faults on consumers' premises	40 0
(b) Inspecting, switching or renewing lamps of fuses on circuits, but not repairing	25 6
Meter tester (1st grade)	39 0
Meter tester (2nd grade)	32 0
Meter fixer	32 0
Switchboard attendant	38 6
Battery attendant	24 0
Electrical fitter's mechanic's assistant	23 0
Process worker	22 0
Other employees with not less than three months' experience in the metal trades industry	9 0
Employees not elsewhere classified	3 0
(b) Wet Battery Manufacturing.	
Plant assembler	32 0
Battery repairer (factory)	29 0
Mixing and pasting by hand	27 0
Charging and moulding of grids	27 0
Group burning (placing separate chambers in batteries, burning posts to connectors on top of battery)	26 0
Formation process	24 0
All others in this subdivision	22 0

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

J. W. RYAN, Secretary.

Melbourne, 3rd December, 1953.

[2966]



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FRIDAY, APRIL 30.

[1954

Factories and Shops Acts.

DETERMINATION OF THE WHARFS AND JETTIES BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, which since the 10th November, 1927, has had the power to "determine the lowest prices or rates which may be paid to any persons employed in the trade of constructing or demolishing wooden or concrete wharfs, piers, or jetties," has made the following Determination, namely :—

1. That as from the 7th December, 1953, the last previous Determination of this Board shall be replaced by this Determination.

2. (a)

APPRENTICES AND IMPROVERS.

Wages.					PROPORTION (in any place).
—	Percentage of Basic Wage.	Rate.	Plus War Loading	Total Wage.	
		s. d.	s. d.	s. d.	
Under 16 years of age	35	83 0	2 0	85 0	Apprentices. One apprentice to every three or fraction of three workers receiving not less than 260s. per week.
" 17 " "	45	106 6	2 6	109 0	
" 18 " "	54	128 0	3 0	131 0	
" 19 " "	68	161 0	3 9	164 9	
" 20 " "	79	187 0	4 6	191 6	Improvers. Three improvers to every four or fraction of four workers receiving not less than 260s. per week.
" 21 " "	92	218 0	5 3	223 3	

(b)

OTHER EMPLOYEES.

	WAGES.			
	Day Work.			
	Rate.	Plus War Loading	Special Loading	Total Wage.
	£ s. d.	s. d.	s. d.	£ s. d.
Leading hand, i.e., a person in charge of not less than—				
(a) three nor more than ten employees	14 10 3	6 0	17 8	15 13 11
(b) eleven nor more than fifteen employees	14 13 3	6 0	17 8	15 16 11
Pile-driver	14 4 3	6 0	17 8	15 7 11
Pile-driver's offsider	13 2 0	6 0	9 7	13 17 7
Wharf carpenters, employed on cross heads, beams, walings, transoms, kerbings, capping and bollards, braces or lower walings, decking, marginal or stepping decking, fenders, tie beams, trimmers, ladders and steps, platforms for points and approaches thereto, boat landings, ring bolts, mooring hooks, mooring piles, beacons, fencing, pile-pointing, pile-ringing, form work for concrete construction, or fitting and fastening all angle iron for waterways	14 1 3	6 0	17 8	15 4 11

OTHER EMPLOYEES—continued.

	WAGES.			
	Day Work.			
	Rate.	Plus War Loading	Special Loading	Total Wage.
	£ s. d.	s. d.	s. d.	£ s. d.
Oxy acetylene burner on demolition work	14 1 3	6 0	..	14 7 3
Saw sharpener	14 0 6	6 0	17 8	15 4 2
Machine borer	13 2 0	6 0	9 7	13 17 7
Cleater	12 19 0	6 0	..	13 5 0
Cradler or squarer	12 19 0	6 0	..	13 5 0
Hand borer	12 17 0	6 0	..	13 3 0
Wharf carpenter's assistant	12 17 0	6 0	9 7	13 12 7
Diver's Assistant	12 17 0	6 0	9 7	13 12 7
Dumper	12 17 0	6 0	..	13 3 0
Other demolition workers	12 14 6	6 0	..	13 0 6
Barge hand on shore plant	12 14 6	6 0	12 1	13 12 7
All others	12 14 0	6 0	..	13 0 0
CONCRETE WORK.				
Pneumatic pick user or jack hammer-man	13 0 0	6 0	..	13 6 0
Concrete floater	12 19 0	6 0	9 7	13 14 7
Mixer operator	12 19 0	6 0	9 7	13 14 7
Men filling moulds	12 17 0	6 0	..	13 3 0
Gaugers, i.e., persons filling gauged barrows or boxes	12 17 0	6 0	9 7	13 12 7
Other mixers	12 17 0	6 0	..	13 3 0
Men employed on reinforcements	12 17 0	6 0	..	13 3 0
Barrowmen or general labourers	12 14 0	6 0	9 7	13 9 7

(c) When work is performed in two shifts per day the rates proscribed in clause 2 (b) hereof for day work shall be increased by 7½ per cent. in respect of all work done in the second or night shift.

HOURS.

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

TERMS OF ENGAGEMENT.

4. (a) Engagement may be by the week or by the hour. If by the week it shall be terminable on either side by a week's notice, which may be made to expire at any time during a week of the employment.

Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled to payment in respect of wages only up to such time of dismissal.

(b) If engagement is by the hour, the rates of wages shall be increased by 10 per cent. per week to cover payment for holidays and sick leave, but such amount shall not be taken into consideration when computing overtime, Sunday and holiday rates.

TIME OF BEGINNING AND ENDING WORK.

5. (a) The spread of hours shall be as follows:—

Day work—

	Time of Beginning.	Time of Ending.
Monday to Friday	8 a.m.	5 p.m.
Where two shifts are worked—		
Monday to Friday (day shift)	6.30 a.m.	2.30 p.m.
Monday to Friday (afternoon shift)	2.30 p.m.	10.30 p.m.

Any of the above times of beginning and ending may be varied on any job by mutual consent of the employer and the majority of the employees, but in no case shall the total length of any shift be increased.

(b) The higher rate to be paid for each hour or fraction of an hour worked by any employee before or after his shift, or on Saturday, shall be time and a half for the first two hours, and thereafter double time. An employee recalled to work after having ceased for the day shall be paid for a minimum of two hours' work at the appropriate rate.

FARE ALLOWANCE.

6. In addition to the amounts otherwise proscribed, an employee (other than on a distant job as defined in clause 15) shall be paid an amount of 3s. 9d. per week as a fare allowance.

HOLIDAYS.

7. (a) An hourly employee shall be entitled to receive the following holidays without pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, the day so substituted shall be observed.

(b) An employee on weekly engagement shall be entitled to the above-mentioned holidays or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays, without deduction of pay.

(c) In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein proscribed.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

HOLIDAYS AND SUNDAY WORK.

8. All time worked on Sundays or on any of the holidays proscribed herein or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays, shall be paid for at the rate of double time. An employee required to work on a Sunday or holiday shall be paid for a minimum of two hours' work at the overtime rate.

"Rate of double time" for weekly employees shall mean as to the holidays set out an extra payment at the ordinary rate in addition to the rate ordinarily receivable.

SPECIAL RATES.
Confined Spaces.

9. (a) Working in confined space (as defined), 6d. per hour extra.

Confined space means a place the dimensions or nature of which necessitate working in a cramped position or without sufficient ventilation.

Dirty Work.

(b) Work which the engineer or inspector in charge of the job shall approve as being of an unusually dirty or offensive nature—4d. per hour extra.

A decision shall be given on the workman's claim within 48 hours of its being asked for (unless the time expires on a non-working day, in which case it shall be given during the next working day), or else the said allowance shall be paid.

(c) An employee spreading or floating metalcote shall be paid 1s. per day or any portion of a day in addition to his ordinary rate.

Special Rates not Cumulative.

(d) Where more than one of the disabilities entitling a workman to extra rates exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

Diving.

(e) An employee when engaged in diving shall receive the sum of £1 17s. 9d. per dive, in lieu of his ordinary rate. A dive shall cover all time up to half a day including preparation before and after the dive.

The amount of £1 17s. 9d. is based upon a Basic Wage Group of 232s. to 236s. per week.

SICK LEAVE.

10. (a) Any employee who has been in the employment of the same employer for a period of not less than three months and who does not attend for duty shall lose his 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 non-attendance was due to personal ill-health necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health for more than 40 hours of working time in each year of service.

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

ANNUAL HOLIDAY.

11. 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.

WET WORK RATE.

12. Men who in the ordinary course of their work are—

- | | |
|--|--|
| (i) Wetted from feet to knees | } shall be paid 1s. per day or portion of a day extra, irrespective of whether rubber boots are worn or not. |
| (ii) Working on rafting or staging awash | |

CRIB TIME.

13. A period of 25 minutes shall be allowed to shift workers for crib time, without deduction of pay.

MEAL ALLOWANCE.

14. An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work shall either be supplied with a meal by the employer or paid 4s., or if the work extends into a second meal hour 8s. for the two meals, but such payment need not be made to employees living in the same locality as their work and who can reasonably return home for meals.

ALLOWANCES FOR DISTANT JOBS.

15. (a) An employee who is directed by his employer to proceed to construction or maintenance work on a distant job and who complies with such direction shall be paid the following allowance in order to enable him to provide himself with suitable board and accommodation :—

- | | |
|---|------------------------------------|
| If employed on the job for less than a full working week | 12s. 9d. per day. |
| If employed on the job for a full working week or longer at the rate of | 52s. 6d. per week (of seven days). |

Provided that where suitable lodging and sleeping accommodation is not available the employer shall provide a hut or tent with such accommodation therein, including a stretcher and mattress but such provision shall not relieve the employer from his obligation to make the allowances specified above in this sub-clause.

Provided nevertheless that in the event of the employer providing the employee with suitable board as well as suitable lodging and sleeping accommodation the employer shall not be liable to pay any of the allowances prescribed by this sub-clause.

Provided further that the foregoing allowances shall be increased if the employee satisfies the employer that he reasonably incurred a greater outlay than that prescribed.

(b) An employee who has been directed by his employer to proceed to construction or maintenance work on a distant job may after three months' continuous service thereon, and thereafter at three-monthly periods of continuous service thereon, return to his home at a week-end. If he does so, he shall be paid the amount of a second class return railway fare on the pay-day which immediately follows the date on which he returns to the job, provided no delay not agreed to by the employer takes place in connexion with the employee's commencing of work on the morning of the working day following the week-end.

Provided, however, that if the work upon which the employee is engaged will terminate in the ordinary course within a further twenty-eight days after the expiration of any such period of three months as is hereinbefore mentioned then the provisions of this sub-clause shall not be applicable.

(c) For the purposes of this clause a "distant job" is one in respect of which the distance of which or the travelling facilities available to and from which make it reasonably necessary that the employee should live and sleep at some other place than his usual place of residence.

TEA BREAK.

16. A tea break of ten minutes' duration on each day or shift to be counted as time worked shall be allowed employees without deduction of pay. The employer shall fix the time of the tea break and shall provide the necessary labour to brew the tea at the commencement of the tea break.

HOT WATER.

17. The employer shall make provision where practicable for the supply of hot water during meal hours.

CHANGING TIME.

18. When an employee, in the course of his work, falls or is knocked into water, not more than one hour without deduction of pay shall be allowed to enable him to change into dry clothing.

MIXED FUNCTIONS.

19. Where an employee is required to do, and does on any one day for a time exceeding four hours in the aggregate, work for which a higher rate is prescribed than for other work done by him on that day, he shall be paid at not less than such higher rate for all work done by him on that day.

TOOL ALLOWANCE.

20. A wharf carpenter shall be paid a tool allowance of 2s. 6d. per week in addition to his ordinary wage.

TRANSPORT OF INJURED OR SICK EMPLOYEES.

21. An employer shall take immediate action to provide for an employee, if required, the necessary transport in the case of sickness or injury arising out of the normal duties of such employee.

SHELTER, ETC.

22. Where operations are continuously carried on each employer shall provide suitable dressing accommodation with a concrete or timber floor, and including seating and clothes hanging facilities on all jobs. Where three or more men are employed, and the work is estimated to last one week or more, a shelter shed based on six square feet per person with a minimum of 50 square feet, shall be provided. Such shed shall be for the exclusive use of workmen and not used for the storage of tools or other materials.

First Aid Outfit.

23. At all places where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an efficient first-aid outfit.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles:—

Articles.	Quantities to be Kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolyzed	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	} An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates set out 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 by the same amount and at the same time as such basic wage, as proscribed by clause 25.

BASIC WAGE.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

25. (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 February, 1954, the amount of the basic wage shall be as prescribed in clause 24.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, 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.

MARGINAL RATES.

26. In addition to the basic wage provided in clause 24, the margins set out in this clause shall be the minimum rate payable to employees therein named:—

Classification.	Margins per Week.
	s. d.
Leading hand, i.e., a person in charge of not less than—	
(a) three nor more than ten employees	53 3
(b) eleven nor more than fifteen employees	56 3
Pile-driver	47 3
Pile-driver's offsider	25 0
Wharf carpenters, employed on cross heads, beams, walings, transoms, kerbings, capping and bollards, braces or lower walings, decking, marginal or stepping decking, fenders, tie beams, trimmers, ladders and steps, platforms for points and approaches thereto, boat landings, ring bolts, mooring hooks, mooring piles, beacons, fencing, pile-pointing, pile-ringing, form work for concrete construction, or fitting and fastening all angle iron for waterways	44 3
Oxy acetylene burner on demolition work	44 3
Saw sharpener	43 6
Machine borer	25 0
Cleater	22 0
Cradle or squarer	22 0
Hand borer	20 0
Wharf carpenter's assistant	20 0
Diver's assistant	20 0
Dumper	20 0
Other demolition workers	17 6
Barge hand on shore plant	17 6
All others	17 0
CONCRETE WORK.	
Pneumatic pick user or jack hammer-man	23 0
Concrete floater	22 0
Mixer operator	22 0
Men filling moulds	20 0
Gaugers, i.e., persons filling gauged barrows or boxes	20 0
Other mixers	20 0
Men employed on reinforcements	20 0
Barrowmen or general labourers	17 0

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

J. W. RYAN, Secretary.

Melbourne, 7th December, 1953.



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FRIDAY, APRIL 30.

[1954

Factories and Shops Acts.

DETERMINATION OF THE TINSMITHS BOARD.

NOTE.—(1) This Determination applies to the whole of the State of Victoria.

NOTE.—(2) Sheet Metal.—First Class Bench Work was proclaimed on 24th May, 1938, as an Apprenticeship Trade under the *Apprenticeship Act 1928*, for the Metropolitan District.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, Melbourne (price 3d.).

NOTE.—(3) On the 7th February, 1938, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any person employed in the process, trade, or business of metal polishing, and such power was conferred exclusively on the Electroplaters Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 7th February, 1938, has had the power to determine the lowest prices or rates which may be paid to any persons or classes of persons employed in the process trade or business of preparing or manufacturing articles made of tin plate or other metal, 10 gauge or lighter, including the japanning of such articles, but not including persons cutting patterns of boots, shoes, and slippers, or persons employed in the process trade or business of metal polishing, has made the following Determination, namely:—

1. That as from the 9th December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES.

Adults.	Per Week of 40 Hours.		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
(a) Sheet Metal Section.			
Sheet metal worker (1st class)	14 9 0	14 15 6	14 6 0
Sheet metal worker (2nd class)	13 14 0	14 0 6	13 11 0
Spinner (1st class)	13 18 0	14 4 6	13 15 0
Spinner other	13 3 0	13 9 6	13 0 0
Die setter	13 3 0	13 9 6	13 0 0
Die setter—press operator working from blue prints or plans	13 14 0	14 0 6	13 11 0
Press operator (heavy)	13 1 0	13 7 6	12 18 0
Press operator (light)	12 19 0	13 5 6	12 16 0
Solderer and dipper	13 1 0	13 7 6	12 18 0
Drop hammer stamper	13 1 0	13 7 6	12 18 0
Guillotine operator (as defined)	13 14 0	14 0 6	13 11 0
Guillotine operator (other)	12 19 0	13 5 6	12 16 0
Guttering machinist	12 19 0	13 5 6	12 16 0
Power machinist (not otherwise specified)	12 19 0	13 5 6	12 16 0
Spray painter (on both prime and finishing coats)	13 7 0	13 13 6	13 4 0
Spray painter (on one coat work)	13 3 0	13 9 6	13 0 0
(b) Welding Division.			
Welder—			
1st class	14 9 0	14 15 6	14 6 0
2nd class	13 5 0	13 11 6	13 2 0
3rd class	13 1 0	13 7 6	12 18 0
Tack welder	13 3 0	13 9 6	13 0 0
Welder—special class (as defined)	14 13 6	15 0 0	14 10 6

WAGES—continued.

Adults.	Per Week of 40 Hours.		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
<i>(c) Canister-making.</i>			
Die setter and/or machine setter and or leading press hand ..	13 3 0	13 9 6	13 0 0
Canister-maker by hand and riveter by hand	13 3 0	13 9 6	13 0 0
Solderer and dipper	12 19 0	13 5 6	12 16 0
Canister vent closer and solderer working on tins containing substances with an artificial temperature of 150° F. and over ..	13 3 0	13 9 6	13 0 0
Operator of power capping machines or metal pots on automatic machines ..	13 1 0	13 7 6	12 18 0
Operator of other power presses and other power machines ..	12 19 0	13 5 6	12 16 0
Cap solderer (not otherwise classified)	12 19 0	13 5 6	12 16 0
<i>(d) Galvanizing.</i>			
Galvanizer	13 10 0	13 16 6	13 7 0
Tinner and grease tinner	13 10 0	13 16 6	13 7 0
Assistant working over metal pot	13 1 0	13 7 6	12 18 0
Pickler	13 0 0	13 6 6	12 17 0
All others in this Division	12 16 0	13 2 6	12 13 0
<i>(e) Painting and Japanning.</i>			
Artistic japanner and goldworker	13 14 0	14 0 6	13 11 0
Spray operator	13 3 0	13 9 6	13 0 0
Grainer, liner, and filliter	12 19 0	13 5 6	12 16 0
Painter and lacquerer	12 19 0	13 5 6	12 16 0
Dipper	12 19 0	13 5 6	12 16 0
<i>(f) Porcelain Enamelling.</i>			
Fuser	13 9 0	13 15 6	13 6 0
Fuser on medallions, badges, or buckles	12 19 0	13 5 6	12 16 0
Inspector—1st class (i.e., one who inspects finished enamel work as to quality)	13 0 0	13 6 6	12 17 0
Inspector (other)	12 17 0	13 3 6	12 14 0
Mill hand and mixer	13 0 0	13 6 6	12 17 0
Packer and despatcher	13 4 6	13 11 0	13 1 6
Pickler	13 0 0	13 6 6	12 17 0
Rackman	12 15 0	13 1 6	12 12 0
Sand and shot blaster	13 13 0	13 19 6	13 10 0
Sprayer	13 1 0	13 7 6	12 18 0
Swiller, gripper, and brusher	12 19 0	13 5 6	12 16 0
Other employees with not less than three months' experience in the metal trades industry	12 6 0	12 12 6	12 3 0
Employee not elsewhere classified in any Division	12 0 0	12 6 6	11 17 0
<i>(g) General.</i>			
Process worker	12 19 0	13 5 6	12 16 0
Tool and/or material storeman (as defined)	13 2 0	13 8 6	12 19 0
Storeman and/or packer	13 4 6	13 11 0	13 1 6

Leading Hands.

Leading hands in charge of not less than three and not more than ten employees, 9s. per week extra; more than ten and not more than twenty employees, 18s. per week extra; more than twenty employees, 27s. per week extra.

Ship Repairing.

Employees engaged on ship repairs shall be paid the following additional margins:—

	s. d.
Tradesmen	4 6 per week.
All other labour	3 0 per week.

APPRENTICESHIP.

3. (Other than those covered by the Apprenticeship Commission.)

Apprenticeship Trades.

(a) An employer shall not employ minors in the following trades or occupations otherwise than under a contract of apprenticeship as hereinafter provided:—

Sheet-metal worker—1st class.
Welder—special class.

Period of Apprenticeship.

(b) If the apprentice when indentured is under the age of seventeen years—five years; if over the age of seventeen years—four or five years, at the option of the contracting parties.

Contract of Apprenticeship.

c) Every contract of apprenticeship hereinafter made shall contain—

- (i) the names of the parties;
- (ii) the date of birth of the apprentice;
- (iii) a statement of the trade or trades to which the apprentice is to be bound and which he is to be taught during the course and for the purpose of the apprenticeship;
- (iv) a covenant by the master to teach and instruct or cause the apprentice to be taught or instructed in the trade to which the apprentice is bound;
- (v) the date at which the apprenticeship is to commence or from which it is to be calculated;
- (vi) all other conditions of apprenticeship.

Cancellation or Suspension of Indenture.

(d) Subject to the approval of the Secretary for Labour, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if, in the opinion of the Secretary for Labour, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provisions of this clause shall be null and void and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

Instruction in Welding.

(e) The training of apprentices to sheet-metal work shall include instruction in electric welding and/or oxy-acetylene welding as far as is practicable with the facilities available in the shop in which they are trained.

Proportion.

(f) An employer shall not employ apprentices in excess of the proportion hereinafter prescribed.

Subject to this sub-clause the proportion of apprentices who may be taken by an employer shall not exceed one apprentice to every three or fraction of three tradesmen in the trade concerned.

In the trade of—

Welder—special class;
the proportion of apprentices who may be taken by an employer shall not exceed one apprentice for every two or fraction of two tradesmen in the trade concerned.

For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and, in ascertaining such proportion, an employer actually working in any workshop shall be deemed to be a tradesman.

A person who is for a term not exceeding two years taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

Adult Apprentices.

(g) Any apprentice who cannot complete his full term of apprenticeship before reaching his twenty-second birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

Probationary Period.

(h) Minors may be taken on probation for three months and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

Wages.

(i) The minimum weekly rates of wages for apprentices shall be the under-mentioned percentages of the contemporaneous basic wage prescribed for the area in which they are employed, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

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

(j)

WAGES PER WEEK OF 40 HOURS.

				Total Wage Payable—		
				Percentage of Basic Wage.	Within 20 Miles of G.P.O., Melbourne: 10 Miles of G.P.O., Geelong; at Warrnambool; and within Mildura and Gippsland Districts.	At Yallourn.
					£ s. d.	£ s. d.
						Other Parts of Victoria.
					£ s. d.	£ s. d.
<i>Four and Five-year Terms.</i>						
1st year	..	..	..	32	3 16 0	3 15 0
2nd year	..	..	..	43	5 2 0	5 0 6
3rd year	..	..	..	54	6 8 0	6 6 6
4th year	..	..	..	83	9 16 6	9 14 0
5th year	..	..	..	100 plus 6s.	12 3 0	12 0 0
<i>Four-year Terms.—Apprentices Commencing after the Age of 17 Years.</i>						
1st year	..	..	..	34	4 0 6	3 19 6
2nd year	..	..	..	54	6 8 0	6 6 6
3rd year	..	..	..	83	9 16 6	9 14 0
4th year	..	..	..	100 plus 6s.	12 3 0	12 0 0

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

(k) The ordinary hours of employment of apprentices shall not in each workshop exceed those of the journeymen.

Overtime and Shift Work.

(l) No apprentice under the age of 18 years shall be required to work overtime or shift work unless he so desires.

No apprentice shall except in an emergency work or be required to work overtime or shift work at times which would prevent his attendance at technical school as required by any statute, Determination or regulation applicable to him.

Payment by Results.

(m) An apprentice shall not work under any system of payment by results.

Lost Time.

(n) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or in which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

(o) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

Attendance at Technical Schools.

(p) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

Annual and Sick Leave.

(q) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 15 and 16 hereof respectively.

FEMALES AND UNAPPRENTICED MALE JUNIORS.

4. (a) Subject to the exception hereinafter provided, the minimum rates of wages for adult and junior females and for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination shall be as follows :—

WAGES PER WEEK OF 40 HOURS.

	*Percentage of Basic Wage.	Margin.	Total Wage Payable—		
			Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool; and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
		s. d.	£ s. d.	£ s. d.	£ s. d.
<i>I.—Adult Females.</i>					
Under one month's experience	75		8 17 6	9 2 6	8 15 6
All others	75	16 0	9 13 6	9 18 6	9 11 6
When employed in a classification for which the corresponding margin in clause 24 hereof exceeds 28s. per week, but does not exceed 40s. per week—75 per centum of such margin in lieu of the 16s. herein prescribed.					
<i>II.—Junior Females.</i>					
		Additional Amount.			
17 years of age and under	52	3 6	4 16 0	4 18 6	4 15 0
18 years of age	62	4 0	5 14 0	5 17 0	5 13 0
19 years of age	72	4 6	6 12 6	6 16 0	6 11 0
20 years of age	82	5 0	7 10 6	7 14 6	7 9 0
<i>III.—Male Junior Labour.</i>					
Under 16 years of age	24	2 0	2 19 0	3 0 6	2 18 0
16 years of age	34	3 0	4 3 6	4 6 0	4 2 6
17 years of age	46	4 0	5 13 0	5 16 0	5 11 6
18 years of age	58	5 0	7 2 6	7 6 0	7 0 6
19 years of age	73	6 0	8 19 0	9 4 0	8 17 0
20 years of age	88	7 0	10 15 6	11 1 6	10 13 0

* The percentages for junior females relate to the female basic wage, but, in all other cases, relate to the male basic wage.

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

The minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the additional amount prescribed for such an employee.

Prohibited Occupations.

(b) Junior employees shall not be employed :—

(i) If under the age of 16 years—

using electric arc or oxy-acetylene blow pipe; or

(ii) If under 18 years of age—

die setting on power presses, or as operators of power driven guillotines.

SPECIAL RATES.

5. In addition to the wages prescribed in clauses 2, 3, and 4 hereof, the following special rates and allowances shall be paid to employees including apprentices and unapprenticed juniors :—

Boiling-down Works.

(a) Working in boiling-down works—3d. per hour extra.

Cold Places.

(b) Working for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, 4d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.

Confined Spaces.

(c) Working in confined space (as defined), 6d. per hour extra.

Dirty Work.

(d) Work, other than ship repair work, which a foreman and workman shall agree is of an unusually dirty or offensive nature, 4d. per hour extra.

Ship repair work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 6d. per hour extra. In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one), or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day in which case it shall be given during the next working day), or else the said allowance shall be paid.

Hot Places.

(e) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 4d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 6d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.

Lead Works.

(f) Working in lead works—3d. per hour extra.

Meat Digestors and Oil Tanks.

(g) Work on repairs in oil tanks or meat digestors—4d. per hour extra. Provided that if any employee is so engaged for more than half of one day or shift he shall be paid the prescribed allowance for the whole day or shift.

Sanitary Works.

(h) Working in sanitary works—3d. per hour extra.

Slag Wool.

(i) Employees handling loose slag wool, loose insul wool or other loose material of a like nature used for providing insulation against heat, cold or noise, shall when so employed on ship construction or ship repairing or on the construction, repair or demolition of furnaces, walls, floors and/or ceilings be paid 6d. per hour extra.

Slaughtering Yards.

(j) Working in slaughtering yards—3d. per hour extra.

War Damaged Ships.

(k) All employees engaged in the cutting and removal of torn, twisted, and displaced structural materials from vessels which have been damaged by bomb, mine, shell, or torpedo shall be paid extra rates as follows:—

- (i) where such damaged structural materials are covered in oil residue and/or other unusually obnoxious substances, and there is a risk of such materials falling, or there are difficulties in the way of securing a safe foothold for working—4d. per hour extra;
- (ii) where the work is carried out in the presence of explosives or combustible materials under conditions under which there is a risk of fire or explosion—6d. per hour extra;
- (iii) where as well as working under the conditions specified in paragraph (i) hereof an employee works under those specified in paragraph (ii) hereof—8d. per hour extra.

The question of whether the conditions specified in paragraphs (i) or (ii) hereof or both of them exist in any particular case shall be settled by agreement between the foreman and the workman concerned provided that in cases of disagreement the matter shall be settled as provided in sub-clause (d) hereof in the case of dirty work, and the provisions of that clause shall apply to claims under this sub-clause. In any case in which it is agreed or decided that the specified conditions exist the extra rate prescribed shall be paid for the whole of the time the employees are engaged cutting and removing the materials mentioned.

Wet Places.

(l) An employee working in any place where his clothing or boots become saturated, whether by water, oil or otherwise, shall be paid 4d. per hour extra: Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable and effective protective clothing and/or footwear: And provided further that any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

Special Rates not Cumulative.

(m) Where more than one of the disabilities entitling a workman to extra rates exist on the same job, the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

Rates not Subject to Penalty Additions.

(n) The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

TRAVELLING AND BOARD.

6. (a) An employee who on any day or from day to day is required to work at a job away from his accustomed workshop or depot shall at the direction of his employer present himself for work at such job at the usual starting time; but for all time reasonably spent in reaching and returning from such job (in excess of the time normally spent in travelling from his home to such workshop or depot and returning) he shall be paid travelling time, and also any fares reasonably incurred in excess of those normally incurred in travelling between his home and such workshop or depot.

An employee who with the approval of his employer uses his own means of transport for travelling to or from outside jobs shall be paid the amount of excess fares which he would have incurred in using public transport unless he has an arrangement with his employer for a regular allowance.

(b) An employee—

- (i) engaged in one locality to work in another; or
- (ii) sent, other than at his own request, from his usual locality to another for employment which can reasonably be regarded as permanent, involving a change of residence, shall be paid travelling time whilst necessarily travelling between such localities and, for a period not exceeding three months, expenses. Provided that such expenses shall cease after he has taken up permanent residence or abode at the new location.

(c) An employee sent from his usual locality to another (in circumstances other than those prescribed in sub-clause (b) hereof) and required to remain away from his usual place of abode shall be paid travelling time whilst necessarily travelling between such localities, and expenses whilst so absent from his usual locality.

(d) The rate of pay for travelling time shall be ordinary rates, except on Sundays and holidays, when it shall be time and a half.

(e) The maximum travelling time to be paid for shall be twelve hours out of every twenty-four hours, or when sleeping berth is provided by the employer for all-night travel, eight hours out of every twenty-four.

(f) "Expenses" for the purpose of this clause means:—

- (i) All fares reasonably incurred.

For boat travel the fares allowed shall be first-class on coastal boats, and on interstate boats where there is no second-class as distinct from steerage; and for rail travel, second-class, except where all-night travelling is involved, when they shall be first-class, with sleeping berth where available.

- (ii) Reasonable expenses incurred whilst travelling, including 4s. for each meal taken.

- (iii) A reasonable allowance to cover the cost incurred for board and lodging.

(g) A camping allowance of 6s. 6d. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles or other temporary shelter is necessary: Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day, including Sunday.

(h) Until further order an employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop: Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

HOURS OF WORK.

Day Workers.

7. (a) The ordinary hours of work shall be 40 per week to be worked in five days of not more than 8 hours (Monday to Friday inclusive) and one day (Saturday) of not more than 4 hours; or five days (Monday to Friday inclusive) of 8 hours each continuously except for meal breaks at the discretion of the employer, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday.

In localities where the recognized half-holiday is on a day other than Saturday the day so recognized may be substituted for Saturday for all the purposes of this Determination.

Provided that the spread of hours or the daily hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

Five-day Week.

(b) In any case in which the ordinary week's work of 40 hours can be performed in five days as aforesaid without—

- (i) detriment to the public interest;
- (ii) loss in the value of goods handled or to be handled;
- (iii) reducing the efficiency of production; or
- (iv) reducing the efficacy of the necessary service,

the employer shall allow those employees who so desire to do so to work their ordinary hours in five days as aforesaid.

This sub-clause shall not apply to employees engaged on the maintenance and servicing of plant.

It is a condition of the allowing of a five-day week hereunder that if required employees shall comply with the reasonable and lawful orders of the employer as to working overtime, including the working of overtime on Saturday.

EMERGENCY PROVISIONS.

7A. (a) Notwithstanding anything elsewhere contained in this Determination, the following provisions shall apply in the case of an employer who is subject to restriction or rationing in the use of electric energy and/or coal gas and/or the emergency disconnection thereof in accordance with orders or regulations approved by the appropriate lawful authority.

(i) If by reason of such restriction or rationing or emergency disconnection 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—

- (1) 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;
- (2) where an employee commences work he shall be entitled to be paid for four hours' work;
- (3) this sub-clause shall not apply to apprentices.

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

- (1) 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;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.;
- (3) for work performed at all other times other than on a Sunday—ordinary rates plus 10 per cent.

Provided that when a worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary day rates.

(iii) He may require any shift worker to perform his hours of work at any time other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work:—

- (1) for day work or day shift work—ordinary time;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.;
- (3) for afternoon and night shifts—ordinary rates plus 10 per cent.

Provided that when a shift worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary rates.

(4) Nothing contained in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers on afternoon and night only at the date of such interference as aforesaid and who continue to work on such shifts.

(iv) He may alter the time at which meal breaks are usefully taken and/or the duration of them, in order to avoid or mitigate the effects of such interference, 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; and provided also that the employer shall, whenever it is practicable, consult with the representative of the Union or Unions before acting under this paragraph.

(b) 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 purpose of providing employment for his employees whilst such restriction or rationing or emergency disconnection is in force and who—

- (i) is unable usefully to employ an employee for the whole of any day or shift by reason of a breakdown in such plant through no fault of his own; or
- (ii) because of the inability of the auxiliary power plant to meet the normal demands for power—
 - (1) 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
 - (2) finds it necessary to alter the time at which meal breaks are usually taken and/or the duration of them.

SHIFT WORK.

Definitions.

8. (a) For the purposes of this clause:—

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

"Continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the employer.

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

"Rostered shift" means a shift of which the employee concerned has had at least 48 hours' notice.

Hours—Continuous Work Shifts.

(b) This sub-clause shall apply to shift workers on continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

- (i) 8 in any one day; or
- (ii) 48 in any one week; or
- (iii) 88 in 14 consecutive days; or
- (iv) 160 in 28 consecutive days.

Subject to the following conditions such shift workers shall work at such times as the employer may require:—

- (i) A shift shall consist of not more than eight hours, inclusive of crib time.
- (ii) Except at the regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.
- (iii) twenty minutes shall be allowed to shift workers each shift for crib which shall be counted as time worked.

Hours—Other than Continuous Work.

(c) This sub-clause shall apply to shift workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

- (i) 40 in any week to be worked in five shifts of 8 hours on Monday to Friday inclusive, or five shifts of not more than 8 hours and one shift (Saturday) of not more than 4 hours; or
- (ii) 80 in fourteen consecutive days in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week; or
- (iii) 120 in 21 consecutive days in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the Employer. An employee shall not be required to work for more than six hours without a break for a meal.

Except at regular change over of shifts an employee shall not be required to work more than one shift in each 24 hours.

Rosters.

(d) Shift rosters shall specify the commencing and finishing times of ordinary working hours of the respective shifts.

Variation by Agreement.

(e) The method of working shifts may in any case be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment.

The time of commencing and finishing shifts once having been determined may be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment, or in the absence of agreement by seven days' notice of alteration given by the employer to the employees.

Afternoon or Night Shift Allowances.

(f) Shift workers on continuous work whilst on afternoon or night shifts shall be paid 7½ per cent. more than the ordinary rates for such shifts.

Shift workers on other than continuous work whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop or for at least six successive afternoons or nights in a six-day workshop shall be paid at the rate of time and a half.

An employee who—

- (i) during a period of engagement on shift works night shift only; or
- (ii) remains on night shift for a longer period than four consecutive weeks; or
- (iii) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each shift cycle,

shall during such engagement, period or cycle, be paid at the rate of time and a quarter for all time worked during ordinary working hours on such night shifts.

(f i) The minimum rate to be paid to any shift worker for work performed between midnight on Friday and midnight on Saturday shall be time and a quarter. Such extra rate to be in substitution for and not cumulative upon the shift premiums prescribed in the first and second paragraphs of sub-clause (f) hereof.

Overtime.

(g) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination or on a shift other than a rostered shift shall—

- (i) if employed on continuous work be paid at the rate of double time; or
- (ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter,

except in each case when the time is worked—

- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts; or
- (v) is due to the fact that the relief man does not come on duty at the proper time; or
- (vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 14 (b) hereof.

Provided that when not less than 8 hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

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

Sundays and Holidays.

(h) Shift workers on continuous work shifts for work done on a rostered shift the major portion of which is performed on a Sunday or holiday shall be paid at the rate of time and a half.

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 11 of this Determination. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday. Where shifts fall partly on a holiday that shift the major portion of which falls on a holiday shall be regarded as the holiday shift.

Junior and Female Employees.

(i) Female shift workers, apprentices or juniors whilst on afternoon or night shifts shall be paid not less than the rates hereinbefore prescribed or 1s. 6d. per shift, whichever is the higher.

MIXED FUNCTIONS.

9. An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

OVERTIME.

10. (a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that in the case of an apprentice or a junior the rate for overtime shall be not less than the rate herein prescribed or 2s. 3d. per hour, whichever is the higher.

Except as provided in this sub-clause or sub-clause (b) hereof in computing overtime each day's work shall stand alone.

Rest Period after Overtime.

(b) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least eight consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

(c) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (b) of this clause where the actual time worked is less than three hours on such recall or on each of such recalls.

Saturday Work—Five-day Week.

(d) A day worker on a five-day week required to work overtime on a Saturday shall be afforded at least three hours' work or paid for three hours at the appropriate rate except where such overtime is continuous with overtime commenced on the day previous.

Standing By.

(e) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall until released be paid standing-by time at ordinary rates from the time from which he is so to hold himself in readiness.

Meal Hours—General.

(f) For work done during meal hours and thereafter until a meal-hour break is allowed time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

Meal Hours—Maintenance Employees.

(g) Subject to the provisions of the second part of sub-clause (f) of this clause an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

Crib Time.

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of overtime worked if the employee continues work after such crib time.

Provided that where a day worker on a five-days week is required to work overtime on a Saturday the first prescribed crib time shall, if occurring between 10 a.m. and 1 p.m., be paid at ordinary rates.

Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

Tea Money.

(i) An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 4s., and 2s. 8d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

Unless the employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and/or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided, but which are surplus.

Transport of Employees.

(j) When an employee, after having worked overtime, or a shift for which he has not been regularly rostered, finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home, or pay him his current wage for the time reasonably occupied in reaching his home.

Compulsory Overtime.

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

HOLIDAYS AND SUNDAY WORK.

11. (a) 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 Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this provision shall apply only to the day so substituted.

Any employer who has given to his employees notice under paragraph (i) of sub-clause (m) of clause 16 of this Determination of his intention to close down his plant or section or sections thereof for the purpose of allowing annual leave may alter the date of such intended closing down by substituting a date no more than two days earlier than the date of which notice was given upon giving at least one week's notice of such alteration.

By agreement between any employer and his employees, other days may be substituted for the said days or any of them as to such employer's undertaking.

(b) Except as provided in sub-clause 8 (h) an employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays. Such double time to continue until he is relieved from duty.

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall, on being relieved from duty, be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

(d) Employees, other than on shift, required to work on Sundays or public holidays, or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays, shall be paid for a minimum of three hours' work.

(e) Where an employee is absent from his or her employment on the working day before or the working day after a public holiday without reasonable excuse or without the consent of the employer, the employee shall not be entitled to payment for such a holiday.

11A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 11 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

EXTRA RATES NOT CUMULATIVE.

12. Extra rates in this Determination, except rates prescribed in clause 5, are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

13. (a) Wages shall be paid weekly or fortnightly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon termination of the employment wages due to an employee shall be paid to him on the day of such termination, or forwarded to him by post on the next working day.

(d) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid at overtime rates after that quarter hour, with a minimum of a quarter of an hour.

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

*CONTRACT OF EMPLOYMENT.**Weekly Employment.*

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

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any break down in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible. Where an employee has given or been given notice as aforesaid he shall continue in his employment until the date of the expiration of such notice. Any employee who having given or been given notice as aforesaid, without reasonable cause (proof of which shall lie on him) absents himself from work during such period, shall be deemed to have abandoned his employment and shall not be entitled to payment for work done by him within that period.

Casual Employment.

(c) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he or she performs, plus 10 per cent.

Late Comers.

(d) Notwithstanding anything elsewhere contained in this Determination an employer may select and utilize for time-keeping purposes any fractional or decimal proportion of an hour (not exceeding a quarter of an hour) and may apply such proportion in the calculation of the working time of employees who without reasonable cause promptly communicated to the employer report for duty after their appointed starting times or cease duty before their appointed finishing times.

An employer who adopts a proportion for the aforesaid purpose shall apply the same proportion for the calculation of overtime.

SICK LEAVE.

15. (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence without deduction of pay, subject to the following conditions and limitations:—

(i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.

(ii) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.

(iii) He shall prove to the satisfaction of his employer that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.

(iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly-qualified medical practitioner that in his, the medical practitioner's, opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) 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 the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the 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 for no longer from the end of the year in which it accrues.

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

*ANNUAL LEAVE.**Period of Leave.*

16. (a) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months continuous service (less the period of annual leave) as an employee on weekly hiring in any one or more of the occupations to which this Determination applies.

Seven-day Shift Workers.

(b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave, including non-working days.

Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-day shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Annual Leave Exclusive of Public Holidays.

(c) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 11 of this Determination and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave he shall not be entitled to be paid for any such holiday.

Broken Leave.

(d) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(e) For the purposes of this clause 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 merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

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 inform the employer in writing if practicable within 24 hours of 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. A notification given by an employee pursuant to clause 15 shall be accepted as a notification under this sub-clause.

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.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(f) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day, any broken part of a day in the result not exceeding half a day to be disregarded.

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.

Calculation of Month.

(g) 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.

Leave to be Taken.

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

Time of Taking Leave.

(i) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(j) An employer may allow 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 after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

Where leave has been granted to an employee pursuant to this sub-clause 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 by clause 11 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a shift worker or an employee taking his leave pursuant to sub-clause (d) of this clause either of whom shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (l) hereof wages shall be at the rate prescribed by clauses 2, 3 and 4 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

Proportionate Leave on Dismissal.

(l) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for $6\frac{2}{3}$ hours at the same rate in respect of each completed month of continuous service, the service being service in respect of which leave has not been granted hereunder.

Annual Close Down.

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

- (i) He may by giving 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 subject to sub-clause (f) hereof 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 re-opened for work.

Provided that all time during which an employee is stood off without pay for the purposes of this sub-clause shall be deemed to be time of service in the next twelve-monthly qualifying period.

- (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 (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

*MISCELLANEOUS.**Accommodation and Conveniences.**Boiling Water.*

17. (a) (i) Employers shall provide boiling water for employees at meal times.

Drinking Water.

(ii) Employers shall provide for the use of employees in workshops a sufficient supply of wholesome cool drinking water from bubble taps or other suitable drinking fountains.

First-aid Outfit.

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

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles:—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolyzed	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

Lockers.

(iv) An employer shall at some reasonably convenient place on his premises provide a suitable locker for each employee in his workshop, or hanging facilities which afford reasonable protection for employees' clothes.

Washing and Sanitary Conveniences.

(v) Employers shall provide proper and sufficient washing and sanitary conveniences.

*Clothing, Equipment and Tools.**Damage to Clothing and Tools.*

(b) (i) Compensation to the extent of the damage sustained shall be made where in the course of the work clothing or tools are damaged or destroyed by fire or molten metal or through the use of corrosive substances. Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

Gloves.

(ii) Suitable canvas or leather gloves shall be provided by employers for operators of pneumatic tools and/or punch and shearing machines and suitable gloves or pads for such other work as the foreman and employee may agree.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one) or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day), or else the said equipment shall be provided.

Goggles.

(iii) Suitable mica or other goggles shall be provided by the employer for each employee using emery wheels or where used by more than one employee such goggles shall be sterilized before being used by another employee. An employee when working on emery wheels shall wear the goggles provided for his protection.

Goggles containing celluloid shall not be considered suitable for the purposes of this provision.

Masks.

(iv) Where necessary suitable masks shall be provided for employees required to use compressed air for blowing dust from electrical machinery or equipment. An employee when performing such work shall wear the mask provided for his protection. Masks containing celluloid shall not be considered suitable for the purposes of this provision.

Protective Clothing—Galvanising, &c.

(v) Employers shall provide suitable protective aprons, rubber gloves, and rubber boots or clogs, to employees engaged in the manual handling of materials over hot galvanising or tinning pots or pickling or plating baths.

Protective Equipment—Welding.

(vi) Employers shall provide a sufficient supply of the undermentioned equipment to enable each welder and his assistant when engaged on work necessitating its use to be supplied with same:—

- (a) Suitable asbestos sheets,
- (b) Hand screens or helmets fitted with coloured glass (or in the case of oxy-acetylene operators protective glasses with side shields),
- (c) Anti-flash goggles,
- (d) Aprons, leather sleeves and leggings (or coveralls of flame-proof material) and gauntlet gloves, and
- (e) Gum or other insulating boots when working in places so damp that danger of electric shock exists.

An employee who is pursuant to this paragraph supplied with any of the equipment specified herein shall wear or use as the case may be such equipment in such a way as to achieve the purpose for which it is supplied.

Where electric arc operators are working screens which shall be suitable and sufficient for the purpose shall be provided by the employer for the protection of employees from flash.

Tools.

(vii) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination, and for sheet metal workers, snips used in the cutting of stainless steel, monel metal, and similar hard metals. The employee shall replace or pay for any tools so provided if lost through his negligence.

Females—Rest Period and Seats.

(c) Female employees shall be allowed a rest period of not less than ten minutes during each day or shift, to be taken during the first or second half of the day or shift as may be decided by a majority of the female employees in a shop.

When requested by employees and where practicable suitable seats shall be provided by the employer for female employees.

Ventilation.

(d) (i) While any work is being carried on in any confined or enclosed space in which—

- (a) fumes, gases, dust or vapours which may be dangerous or injurious are liable to be present or to be generated in the course of the work; or
- (b) the atmosphere may otherwise become vitiated,

the employer shall install a suction exhaust apparatus, through which by means of a power-driven fan air is drawn from the vicinity of the work in relation to which it is installed.

Where it is impracticable to install such suction exhaust apparatus the employer shall take all such steps as are necessary to ensure safe working conditions in any such confined or enclosed space.

This sub-clause shall not be deemed to be inconsistent with the Harmful Gases, Vapours, Mists, Smokes and Dust Regulations 1945 (published in the Victorian Government Gazette No. 21, dated 7th February, 1945) and shall not apply to any processes or occupations to which those Regulations apply.

(ii) Employers shall provide adequate ventilation in workshops where tinning or galvanising and pickling is carried on, and in workshops where fusing of wet enamel is carried on, facilities for the free circulation of air. Any dispute under this sub-clause shall be determined by the Wages Board.

SHOP STEWARDS.

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

RIGHT OF ENTRY OF UNION OFFICIALS.

19. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions:—

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

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the midday meal break the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer.

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

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

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

(Name of organization.)

This is to certify that
above-named organization.

is a duly accredited representative of the

(SEAL)

General Secretary.

Date—

Specimen signature of holder—
Strictly not transferable.

TIME AND WAGES BOOK.

20. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his 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 record 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 when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official 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 union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed: Provided also that only one demand for such inspection shall be made in 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 record relating to the suspected breach of the Determination.

NOTICE BOARD.

21. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited Union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

Any notice posted on such board not so signed or countersigned may be removed by an accredited Union representative or by the employer.

DEFINITIONS.

22. "Confined space" means a compartment, space or place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and includes such a space:—

- (i) in the case of a ship, inside complete tanks, chain lockers, and peaks; in bilges, under engine beds, under engine room and stokehold floors, or under or inside boilers.
- (ii) in other cases, inside boilers, steam drums, mud drums, fire boxes of vertical or road vehicle boilers, furnaces, flues, combustion chambers, receivers, buoys, tanks, superheaters, or economizers.

"Process worker" means an employee engaged on:—

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

"Ship repairs" means:—

- (i) All repair work done on ships.
- (ii) All work other than the making of spare parts and stores done in a workshop used for ship repairs only.
- (iii) Work done in a workshop used for both ship repairing and other heavy metal fabrication on which employees are engaged both on the ship and in the workshop.

"Sunday" means all time between midnight Saturday and midnight Sunday.

"Tool storeman" means an adult male employee in charge of receiving, storing and issuing of tools and other equipments in a tool store.

"Year" means the period between the 1st day of June in each year and the next 31st day of May.

Welding.

"Welder—special class" means a tradesman using electric arc and/or oxy-acetylene equipment and who is required to, and is competent to, apply general trade experience in welding the following classes of metals:—mild steel, stainless steel, cast iron, aluminium, copper, brass, die cast metal and magnesium.

"Welder—1st class" means a tradesman using electric arc and/or oxy-acetylene blowpipe and/or coal gas cutting plant or flame hardening who is required to apply general trade experience as a welder or flame hardener respectively.

"Welder—2nd class" means an adult employee using electric arc or oxy-acetylene blowpipe who is not a welder—1st class or welder—3rd class.

"Welder—3rd class" means an adult employee using an electric spot or butt welding machine or cutting scrap with an oxy-acetylene blowpipe.

Sheet Metal.

"Sheet metal worker—1st class" means a tradesman working to scaled prints or drawings or applying general trade experience or knowledge to the making of sheet metal products and/or the erection or installation thereof.

"Sheet metal worker—2nd class" means an adult employee working at the bench in the making and/or repairing of sheet metal products not calling for the use of prints or drawings or measurements.

"Canister making" means the making of canisters and other tin containers in quantities by specialized processes.

"Guillotine operator" means an adult male employee who for the greater part of his time is engaged on work involving the use by him of prints or drawings or the determination by him of sizes of material to be cut for the production of sheet metal products by 1st or 2nd class sheet-metal workers.

"Sheet metal" means sheets of metal 10-gauge or lighter.

"Spinner—1st class" means an adult employee required to make his own chucks, spin up the job to drawings, measurement, or blue prints, and/or who applies general trade knowledge and experience to the making of spun articles by jobbing methods.

PERIODICAL ADJUSTMENT OF WAGES.

23. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage, as prescribed by clause 24.

Basic Wage.

Place.	ADULT MALES. Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Victoria— Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool; and within Mildura and Gippsland districts Yallourn—6s. 6d. in excess of basic wage for Melbourne Elsewhere—3s. less than the contemporaneous basic wage for Melbourne	11 17 0	Melbourne

The basic wage for adult females shall be 75 per cent. of the basic wage for adult males, calculated to the nearest 6d., half or less than half of 6d. in a result to be disregarded.

ADJUSTMENT OF BASIC WAGE.

24. (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 February, 1954, the amount of the basic wage shall be as prescribed in clause 23.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all item" 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.

In addition to the basic wage prescribed by clause 23, any adult employee of a classification specified hereunder shall be paid the margin hereinafter assigned to that classification, and such margin shall be deemed to be part of his ordinary rate of wage for all purposes of this Determination:—

Classification.	Margin.
(a) <i>Sheet Metal Section.</i>	s. d.
Sheet metal worker (1st class)	52 0
Sheet metal worker (2nd class)	37 0
Spinner—1st class	41 0
Spinner, other	26 0
Die setter	26 0
Die setter—press operator working from blue prints or plans	37 0
Press operator (heavy)	24 0
Press operator (light)	22 0
Solderer and dipper	24 0
Drop hammer stamper	24 0
Guillotine operator (as defined)	37 0
Guillotine operator (other)	22 0
Guttering machinist	22 0
Power machinist (not otherwise specified)	22 0
Spray painter (on both prime and finishing coat)	30 0
Spray painter (on one coat work)	26 0
(b) <i>Welding Division.</i>	
Welder—	
1st class	52 0
2nd class	28 0
3rd class	24 0
Tack welder	26 0
Welder special class (as defined)	56 6
(c) <i>Canister-making.</i>	
Die setter and/or machine setter and/or leading press hand	26 0
Canister-maker by hand and riveter by hand	26 0
Solderer and dipper	22 0
Canister vent closer and solderer working on tins containing substances with an artificial temperature of 150° F. and over	26 0
Operator of power capping machines or metal pots on automatic machines	24 0
Operator of other power presses and other power machines	22 0
Cap solderer (not otherwise classified)	22 0
(d) <i>Galvanizing.</i>	
Galvanizer	33 0
Tinner and grease tinner	33 0
Assistant working over metal pot	24 0
Pickler	23 0
All others in this Division	19 0

Classification.	Margin.
<i>(e) Painting and Japanning.</i>	
Artistic japanner and goldworker	37 0
Spray operator	26 0
Grainer, liner, and filliter	22 0
Painter and lacquerer	22 0
Dipper	22 0
<i>(f) Porcelain Enamelling.</i>	
Fuser	32 0
Fuser on medallions, badges, or buckles	22 0
Inspector—1st class (i.e., one who inspects finished enamel work as to quality)	23 0
Inspector (other)	20 0
Mill hand and mixer	23 0
Packer and despatcher	27 6
Pickler	23 0
Rackman	18 0
Sand and shot blaster	36 0
Sprayer	24 0
Swiller, gripper, and brusher	22 0
Other employees with not less than three months' experience in the metal trades industry	9 0
Employee not elsewhere classified in any Division	3 0
<i>(g) General.</i>	
Process worker	22 0
Tool and/or material storeman (as defined)	25 0
Storeman and/or packer	27 6

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

J. W. RYAN, Secretary.

Melbourne, 9th December, 1953.



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FRIDAY, APRIL 30.

[1954

Factories and Shops Acts.

DETERMINATION OF THE SAND PIT BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 2nd October, 1939, has had the power to "determine the lowest prices or rates which may be paid to any persons employed in connexion with—A sand pit at labouring work, excavating, handling, or removing sand for trade or sale, or excavating, handling, or removing sand for the construction or the maintenance of roads, but not including persons subject to the jurisdiction of the Carters Board," has made the following Determination, namely:—

1. That as from the 7th December, 1953, the last previous determination of this Board shall be revoked and replaced by this determination.

WAGES.

Apprentices and Improvers.			Other Employees.	
—	Percentage of Basic Wage.	Wages Per Week of 40 Hours.	—	Wages Per Week of 40 Hours.
	%	s. d.		s. d.
Under 16 years of age ..	31	73 6	Leading hand in charge of four or more employees	248 0
16 years of age ..	40	95 0	Powder monkey employed in sand pit ..	250 0
17 years of age ..	49	116 0	Nozzleman	241 0
18 years of age ..	58	137 6	Ploughman	241 0
19 years of age ..	68	161 0	Tipman	241 0
20 years of age ..	77	182 6	Scoopman	241 0
			Shoveller	241 0
			Shaft sinker	248 0
			Pneumatic pickman	246 0
			Jumperman	246 0
			Pickman	241 0
			Drivers—	
			One horse	240 0
			Two horses	243 0
			Three horses	246 0
			Motor vehicle having maker's capacity of—	
			25 cwt. or less	246 0
			Over 25 cwt., but not over 3 tons ..	250 0
			Over 3 tons, but under 6 tons ..	253 0
			All others	237 0

PROPORTION. (Within any factory or place.)

Apprentices.
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
An indenture of apprenticeship prescribed by the Board was approved on 18th June, 1924.

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

DAILY HOURS.

3. (a) Where a 5½-day week is worked:—
Monday to Friday 7 hours 12 minutes
Saturday 4 hours.
- (b) Where a 5-day week is worked:—
Monday to Friday (both inclusive) 8 hours.

OVERTIME.

4. In excess of the hours fixed in clause 3, the rate shall be time and a half for the first four hours' work and double time thereafter. Such overtime shall be computed on a daily basis.

CASUAL LABOUR.

5. Casual workers, i.e., workers employed for not more than 20 hours in any week shall be paid at the rate of 3d. per hour in addition to the ordinary rates.

PRO RATA PAYMENT OF WAGES.

6. An employee other than a "casual worker" who is employed for less than the hours fixed for a full week's work shall be paid the ordinary wages rate calculated *pro rata* according to the number of hours worked.

PAYMENT FOR HOLIDAYS.

7. All employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day, Boxing Day, and Anzac Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays this provision shall apply only to the day so substituted.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

8. Double time shall be the special rate for all work done on Sundays, Christmas Day, Boxing Day, New Year's Day, Labour Day, Good Friday, or Easter Monday; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named public holidays, the special rate shall only be payable for work done on the day so substituted.

8A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a Public Holiday or Public Half-holiday is proclaimed by Order in Council throughout any Municipality or part thereof, or within any defined area, such Public Holiday or Public Half-holiday shall, so far as such Municipality or part thereof, or such defined area, is concerned, be deemed to be included in the list of Holidays prescribed in clauses 7 and 8 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such Public Holiday or Public Half-holiday without reasonable excuse shall not be entitled to be paid for such Public Holiday or Public Half-holiday.

SHIFT WORK.

9. Employees working shift shall be paid 5 per cent. more than ordinary rates.

ANNUAL HOLIDAY.

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

SICK LEAVE.

11. Where an employee is disabled by personal ill-health (not attributable to misconduct) proof of which sickness is given to the employer within 24 hours of the employee's consequential absence, he shall be entitled without deduction of pay, to absent himself from work one day in each two months, or for a proportionate aggregate in a longer period, but not exceeding 40 hours in any year of employment.

PERIODICAL ADJUSTMENT OF WAGES.

12. The wages rates for adults set in clause 2 are based the following basic wage, and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Acts 1934*, this Board hereby determines that rates for male adults shall be automatically adjusted as proscribed in clause 13.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

13. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1954, the amount of the basic wage shall be as proscribed in clause 12.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, 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.

(d) The wages of apprentices and improvers shall be the appropriate percentages as set out in clause 2. Such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 7th December, 1953



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FRIDAY, APRIL 30.

[1954

Factories and Shops Acts.

DETERMINATION OF THE BEDSTEADMAKERS BOARD.

NOTE.—Since the 2nd July, 1946, this Determination has applied to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons (including the moulders of bedsteads and excluding the moulders of fenders) employed in the process, trade, or business of a maker of metal bedsteads or fenders, or parts thereof," has made the following Determination, namely:—

1. That as from the 9th December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

	Wages per Week of 40 Hours.	
	Within the Metropolitan District; the Cities of Geelong, Geelong West, Newtown and Chilwell, and Warrnambool.	Other Parts of Victoria where the Determination Applies.
	s. d.	s. d.
Bedstead smith	262 0	259 0
Chill fitter called on to design and model	277 0	274 0
Other chill fitter	262 0	259 0
Machinist	259 0	256 0
Plater in charge	274 0	271 0
Plater's assistant	260 0	257 0
Polisher and grinder	261 0	258 0
Chipper and caster	258 0	255 0
Bedstead fitter and mounter	262 0	259 0
Employee engaged cutting, binding, straightening, drilling, or squaring up parts of bedsteads and frame setter	261 0	258 0
Japanner and lacquerer	259 0	256 0
Other employees with not less than three months' experience in the industry	246 0	243 0
All others	240 0	237 0

SPECIAL RATES.

3. In addition to the wages prescribed in clause 2 hereof the following special rates and allowances shall be paid:—

- (a) Leading hands in charge of not less than three and not more than ten employees, including apprentices, 9s. per week extra; more than ten and not more than twenty employees, including apprentices, 18s. per week extra; more than twenty employees, including apprentices, 27s. per week extra.
- (b) Working in wet places, 1½d. per hour extra. Working in confined spaces, 3d. per hour extra.
- (c) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.
- (d) Dirty work, i.e., work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.
- (e) Compensation to the extent of the damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.
- (f) Where more than one of the disabilities entitling a workman to extra rates exist on the same job, the employer shall be bound to pay only one rate, viz., the highest for the disabilities so prevailing.

JUNIOR MALE AND FEMALE LABOUR.

4.

Wages Per Week of 40 Hours.

	*Percentage of Basic Wage.	Additional Amount.	War Loading.	Total Wage Payable—	
				Within the Metropolitan District; the Cities of Geelong, Geelong West, Newtown and Chilwell, and Warrnambool.	Other Parts of Victoria where the Determination Applies.
	Per Week.	Per Week.	s. d.	s. d.	s. d.
<i>I.—Adult Females.</i>					
Under one month's experience ..	75	..	..	177 6	175 6
All others	75	16 0	..	193 6	191 6
<i>II.—Junior Females.</i>					
17 years of age and under ..	52	3 6	..	96 0	95 0
18 years of age	62	4 0	..	114 0	113 0
19 years of age	72	4 6	..	132 6	131 0
20 years of age	82	5 0	..	150 6	149 0
<i>III.—Junior Males.</i>					
Under 16 years of age	24	2 0	..	59 0	58 0
16 years of age	34	3 0	..	83 6	82 6
17 years of age	46	4 0	..	113 0	111 6
18 years of age	58	5 0	..	142 6	140 6
19 years of age	73	6 0	..	179 0	177 0
20 years of age	88	7 0	..	215 6	213 0
<i>IV.—Junior Males (Foundries).</i>					
Under 16 years of age	24	2 0	1 0	60 0	59 0
16 years of age	32	2 6	1 9	80 0	79 0
17 years of age	58	5 0	3 0	145 6	143 6
18 years of age	73	6 0	4 0	183 0	181 0
19 years of age and over ..	88	7 0	4 6	220 0	217 6

A junior employee of eighteen years or more shall be paid 3s. per week in addition to the rates prescribed herein while he is employed as a furnaceman or assistant to a furnaceman.

* The percentages for junior females relate to the female basic wage, but in all other cases relate to the male basic wage.

Females and unapprenticed male juniors may be employed on piece-work subject to clause 17 hereof.

The total wage shall be calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded.

HOURS OF EMPLOYMENT.

Day Workers.

5. (a) The ordinary hours of work shall be 40 per week to be worked in five days of not more than 8 hours (Monday to Friday inclusive) and one day (Saturday) of not more than 4 hours; or five days (Monday to Friday inclusive) of 8 hours each continuously except for meal breaks at the discretion of the employer, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday.

In localities where the recognized half-holiday is on a day other than Saturday the day so recognized may be substituted or Saturday for all the purposes of this Determination.

Provided that the spread of hours or the daily hours prescribed may be altered as to all or a section of the employee by mutual agreement between an employer and the representative of the union in that shop.

Five-Days Week.

(b) In any case in which the ordinary week's work of 40 hours can be performed in five days as aforesaid without—

- (i) detriment to the public interest;
- (ii) loss in the value of goods handled or to be handled;
- (iii) reducing the efficiency of production; or
- (iv) reducing the efficacy of the necessary service,

the employer shall allow those employees who so desire to do so to work their ordinary hours in five days as aforesaid.

This sub-clause shall not apply to employees engaged on the maintenance and servicing of plant and it is a condition of the allowing of a five-days week hereunder that if required employees shall comply with the reasonable and lawful orders of the employer as to working overtime, including the work of overtime on Saturday.

EMERGENCY PROVISIONS.

5A. (a) Notwithstanding anything elsewhere contained in this Determination, the following provisions shall apply in the case of an employer who is subject to restriction or rationing in the use of electric gas and/or coal gas and/or the emergency disconnection thereof in accordance with orders or regulations approved by the appropriate lawful authority.

(i) If by reason of such restriction or rationing or emergency disconnection 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—

- (1) 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;
- (2) where an employee commences work he shall be entitled to be paid for four hours' work;
- (3) this sub-clause shall not apply to apprentices.

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

- (1) for work performed on Mondays to Fridays from 7 a.m. to noon—ordinary time;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.;
- (3) for work performed at all other times other than on a Sunday—ordinary rates plus 10 per cent.

Provided that when a worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary day rates.

- (iii) He may require any shift worker to perform his hours of work at any time other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work:—

- (1) for day work or day shift work—ordinary time;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent;
- (3) for afternoon and night shifts—ordinary rates plus 10 per cent.

Provided that when a shift worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary rates.

- (4) Nothing contained in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers on afternoon and night only at the date of such interference as aforesaid and who continue to work on such shifts.

- (iv) 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 interference, 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; and provided also that the employer shall, whenever it is practicable, consult with the representative of the Union or Unions before acting under this paragraph.

(b) 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 or emergency disconnection is in force and who—

- (i) is unable usefully to employ an employee for the whole of any day or shift by reason of a breakdown in such plant through no fault of his own; or
- (ii) because of the inability of the auxiliary power plant to meet the normal demands for power—
 - (1) 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
 - (2) finds it necessary to alter the time at which meal breaks are usually taken and/or the duration of them.

OVERTIME.

6. (a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that in the case of an apprentice or a junior the rate for overtime shall be not less than the rate herein prescribed or 1s. 6d. per hour, whichever is the higher.

Except as provided in sub-clause (b) hereof in computing overtime each day's work shall stand alone.

Rest Period After Overtime.

(b) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least eight consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

(c) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (b) hereof where the actual time worked is less than three hours on such recall or on each of such recalls.

Saturday Work—Five-days Week.

(d) A day worker on a five-days week required to work overtime on a Saturday shall be afforded at least three hours' work or paid for three hours at the appropriate rate except where such overtime is continuous with overtime commenced on the previous day.

Standing By.

(e) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall until released be paid standing-by time at ordinary rates from the time from which he is so to hold himself in readiness.

Meal Hours—General.

(f) For work done during meal hours and thereafter until a meal-hour break is allowed time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

Meal Hours—Maintenance Employees.

(g) Subject to the provisions of the second part of sub-clause (f) hereof an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good break-downs of plant or upon routine maintenance of plant which can only be done while such plant is idle.

Crib Time.

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of overtime worked if the employee continues work after such crib time.

Provided that where a day worker on a five-days week is required to work overtime on a Saturday the first prescribed crib time shall, if occurring between 10 a.m. and 1 p.m., be paid at ordinary rates.

Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

Tea Money.

(i) An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall be either supplied with a meal by the employer or paid 2s and 1s. 3d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshops who can reasonably return home for meals.

Unless the employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and/or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided, but which are surplus.

Transport of Employees.

(j) When an employee, after having worked overtime, or a shift for which he has not been regularly rostered, finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home, or pay him his current wage for the time reasonably occupied in reaching his home.

Compulsory Overtime.

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

SHIFT WORK.

7. (a) For the purpose of this clause—

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

"Continuance work" means work carried on with consecutive shifts of men throughout the twenty-four hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks, or due to unavoidable causes beyond the control of the employer.

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

"Rostered shift" means a shift of which the employee concerned has had at least 48 hours' notice.

Hours—Continuous Work Shifts.

(b) This sub-clause shall apply to shift workers on continuous work as hereinbefore defined.

The ordinary hours of such shift workers shall not exceed—

- (i) 8 in any one day; or
- (ii) 48 in any one week; or
- (iii) 88 in 14 consecutive days; or
- (iv) 160 in 28 consecutive days.

Subject to the following conditions such shift workers shall work at such times as the employer may require—

- (i) a shift shall consist of not more than 8 hours, inclusive of crib time;
- (ii) except at the regular change-over of shifts an employee shall not be required to work more than one shift in each 24 hours;
- (iii) twenty minutes shall be allowed to shift workers each shift for crib, which shall be counted as time worked.

Hours—Other Than Continuous Work.

(c) This sub-clause shall apply to shift workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

- (i) 40 in any week to be worked in five shifts of 8 hours on Monday to Friday inclusive, or five shifts of not more than 8 hours and one shift (Saturday) of not more than four hours; or
- (ii) 80 in 14 consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than 8 consecutive hours on any shift or more than six shifts in any week; or
- (iii) 120 in 21 consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than 8 consecutive hours on any shift or more than six shifts in any week.

Such ordinary hours shall be worked continuously, except for meal breaks, at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

Except at regular change-over of shifts an employee shall not be required to work more than one shift in each 24 hours.

Rosters.

(d) Shift rosters shall specify the commencing and finishing times of ordinary working hours of the respective shifts.

Variation by Agreement.

(e) The method of working shifts may in any case be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment.

The time of commencing and finishing shifts once having been determined may be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment, or in the absence of agreement by seven days' notice of alteration given by the employer to the employees.

Afternoon or Night Shifts.

(f) Shift workers on continuous work whilst on afternoon or night shifts shall be paid $7\frac{1}{2}$ per cent. more than the ordinary rates for such shifts.

Shift workers on other than continuous work whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop or for at least six successive afternoons or nights in a six-day workshop shall be paid at the rate of time and a half.

An employee who—

- (i) during a period of engagement on shift works night shift only; or
- (ii) remains on night shift for a longer period than four consecutive weeks; or
- (iii) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each shift cycle,

shall during such engagement, period or cycle, be paid at the rate of time and a quarter for all time worked during ordinary working hours on such night shifts.

(fi) The minimum rate to be paid to any shift worker for work performed between midnight on Friday and midnight on Saturday shall be time and a quarter. Such extra rate to be in substitution for and not cumulative upon the shift premiums prescribed in the first and second paragraphs of sub-clause (f) hereof.

Overtime.

(g) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination or on a shift other than a rostered shift shall—

- (i) if employed on continuous work be paid at the rate of double time; or
- (ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter, except in such case when the time is worked—
- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts; or
- (v) is due to the fact that the relief man does not come on duty at the proper time; or
- (vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 13 (b) hereof.

Provided that when not less than 8 hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first 4 hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

Compulsory Overtime.

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

Sundays and Holidays.

(h) Shift workers on continuous work shifts for work done on a rostered shift the major portion of which is performed on a Sunday or holiday shall be paid at the rate of time and a half.

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 8 of this Determination. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate; provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

Junior and Female Employees.

(i) Female shift workers, apprentices or juniors whilst on afternoon or night shifts shall be paid not less than the rates hereinbefore prescribed or 1s. per shift whichever is the higher.

HOLIDAYS AND SUNDAY WORK.

8. (a) 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 Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above named holidays this provision shall apply only to the day so substituted.

Any employer who has given to his employees notice under paragraph (i) of sub-clause (m) of clause 9 of this Determination of his intention to close down his plant or section or sections thereof for the purpose of allowing annual leave may alter the date of such intended closing down by substituting a date no more than two days earlier than the date of which notice was given upon at least one week's notice of such alteration.

By agreement between any employer and his employees, other days may be substituted for the said days or any of them as to such employer's undertaking.

(b) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays such double time to continue until he is relieved from duty:

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall on being relieved from duty, be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

(d) Employees, other than on shift, required to work on Sundays or public holidays or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays shall be paid for a minimum of three hours' work.

8a. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 8 hereto.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

*ANNUAL LEAVE.**Period of Leave.*

9. (a) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee on weekly hiring in any one or more of the occupations to which this Determination applies.

Seven-day Shift Workers.

(b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave including non-working days.

Where an employee with twelve months' continuous service is engaged for part of the twelve monthly period as a seven-day shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Annual Leave Exclusive of Public Holidays.

(c) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 8 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day, there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave he shall not be entitled to be paid for any such holiday.

Broken Leave.

(d) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(e) For the purpose of this clause 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 merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

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 inform the employer in writing if practicable within 24 hours of 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. A notification given by an employee pursuant to clause 14 shall be accepted as a notification under this sub-clause.

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.

In cases of individual absenteeism such notice be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to each union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(f) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of $3\frac{1}{2}$ hours for each completed one month of continuous service and in respect of service after that date at the rate of $6\frac{1}{2}$ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

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.

Calculation of Month.

(g) 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.

Leave to be Taken.

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

Time of Taking Leave.

(i) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(j) An employer may allow 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 after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

Where leave has been granted to an employee pursuant to this sub-clause 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 by clause 8 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a shift worker or an employee taking his leave pursuant to sub-clause (d) hereof either of whom shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (l) hereof, wages shall be at the rate prescribed by clauses 2 and 4 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

Proportionate Leave on Dismissal.

(l) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for $3\frac{1}{2}$ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for $6\frac{1}{2}$ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

Annual Close Down.

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

- (i) He may by giving 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 subject to sub-clause (f) hereof 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 re-opened for work. Provided that all time during which an employee is stood off without pay for the purposes of this sub-clause shall be deemed to be time of service in the next twelve-monthly qualifying period.
- (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 through no fault of the employee, he shall be entitled to the benefit of sub-clause (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SHOP STEWARDS.

10. Any employee appointed shop steward in the shop or department in which he is employed shall upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he presents.

RIGHT OF ENTRY OF UNION OFFICIALS.

11. A duly accredited representative of the Association shall have the right to enter employers' workshops during the midday meal hour for the purposes of interviewing employees on legitimate union business on the following conditions:—

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (ii) That he interviews employees only at the places where they are taking their meal.
- (iii) That not more than one representative in all be in any workshop at any one time.
- (iv) That no one representative visit a workshop more than once in each week.
- (v) 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.
- (vi) 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 the Determination.

TRAVELLING TIME, ALLOWANCE AND BOARD.

Travelling and Board.

12. (a) An employee who on any day or from day to day is required to work at a job away from his accustomed workshop or depot shall at the direction of his employer present himself for work at such job at the usual starting time; but for all time reasonably spent in reaching and returning from such job (in excess of the time normally spent in travelling from his home to such workshop or depot and returning) he shall be paid travelling time, and also any fares reasonably incurred in excess of those normally incurred in travelling between his home and such workshop or depot.

(b) An employee—

(i) engaged in one locality to work in another; or

(ii) sent from his usual locality to another for employment which can reasonably be regarded as permanent, involving a change of residence, shall be paid travelling time whilst necessarily travelling between such localities, and, for a period not exceeding three months, expenses.

(c) An employee sent from his usual locality to another (in circumstances other than those prescribed in sub-clause (b) hereof) and required to remain away from his usual place of abode shall be paid travelling time whilst necessarily travelling between such localities, and expenses whilst so absent from his usual locality.

(d) The rate of pay for travelling time shall be ordinary rates, except on Sundays and holidays, when it shall be time and a half.

(e) The maximum travelling time to be paid for shall be twelve hours out of every twenty-four hours, or when sleeping berth is provided by the employer for all-night travel, eight hours out of every twenty-four.

(f) "Expenses" for the purpose of this clause means:—

(i) All fares reasonably incurred.

For boat travel the fares allowed shall be first-class on coastal boats, and on interstate boats where there is no second-class as distinct from steerage; and for rail travel, second-class, except where all-night travelling is involved, when they shall be first-class, with sleeping berth where available.

(ii) Reasonable expenses incurred whilst travelling, including 2s. 6d. for each meal taken.

(iii) A reasonable allowance to cover the cost incurred for board and lodging.

CONTRACT OF EMPLOYMENT.

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

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) An employee not attending for duty shall except as provided by clause 14 hereof lose his pay for the actual time for such non-attendance.

Casual Employment.

(d) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he or she performs plus 10 per cent.

Late Comers.

(e) Notwithstanding anything elsewhere contained in this Determination an employer may select and utilize for time-keeping purposes any fractional or decimal proportion of an hour (not exceeding a quarter of an hour) and may apply such proportion in the calculation of the working time of employees who without reasonable cause promptly communicated to the employer, report for duty after their appointed starting times or cease duty before their appointed finishing times.

An employer who adopts a proportion for the aforesaid purpose shall apply the same proportion for the calculation of overtime.

SICK LEAVE.

14. (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay subject to the following conditions and limitations:—

(i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.

(ii) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.

(iii) He shall prove to the satisfaction of his employer that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.

(iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single day absence.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only, such employee, if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly qualified medical practitioner that in his, the medical practitioners' opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) 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 the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the 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 for no longer from the end of the year in which it accrues.

(cc) Rights accrued under sub-clause (c) hereof prior to the 1st day of January, 1948, shall be preserved except that the total number of hours so accrued and not taken prior to the 1st day of January, 1948, shall be reduced by 1/11th of such total the result to be calculated to the nearest hour.

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (nor exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

(e) For the purpose of this clause "year" means the period between the 1st day of May in each year and the next 30th day of April.

PAYMENT OF WAGES.

15. (a) Wages shall be paid weekly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon termination of the employment, wages due to an employee shall be paid to him on the day of such termination or forwarded to him by post on the next working day.

(d) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid at overtime rates after that quarter hour, with a minimum of a quarter of an hour.

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

TIME AND WAGES BOOK.

16. Each employer shall keep a time and wages book showing the name of each employee and his occupation, and the hours worked each day and the wages and allowances paid each week.

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.

The time and wages book shall be open for inspection at the employer's office or other convenient place to a duly accredited official of the Association during the usual office hours. Provided that no inspection shall be demanded unless the Secretary of the Association or the district secretary or organizer of any division of the Association 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. The officer making such inspection shall be entitled to take a copy of the entry in the time and wages book relating to such suspected breach of this Determination.

PAYMENT BY RESULTS.

17. (a) Subject to the minimum wages herein prescribed, an employer may remunerate any of his employees under any system of payment by results based on rates which will enable workers of average capacity to earn at least 10 per cent. in excess of their hourly or weekly rates.

(b) Any increases in prevailing daily and hourly wages resulting from this Determination shall not of themselves compel any increase in piecework rates during the term of this Determination. If in a factory piecework is extended to processes now done on weekly or hourly rates sub-clause (a) hereof shall apply.

*MISCELLANEOUS.**Accommodation and Conveniences.**Boiling Water.*

18. (a) (i) Employers shall provide boiling water for employees at meal times.

Drinking Water.

(ii) Employers shall provide for the use of employees in workshops a sufficient supply of wholesome cool drinking water from bubblers, taps, or other suitable drinking fountains.

First-Aid Outfit.

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

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles:—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton, and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolyzed	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 Oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	} An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

Lockers.

(iv) The employer shall at some reasonably convenient place on his premises provide a suitable locker for each employee in his workshop, or hanging facilities which afford reasonable protection for employees' clothes.

Showers.

(v) Employers shall provide for all workmen employed in foundries hot and cold shower baths, which shall be situated away from lavatories.

Washing and Sanitary Conveniences.

(vi) Employers shall provide proper and sufficient washing and sanitary conveniences.

*Clothing, Equipment and Tools.**Damage to Clothing and Tools.*

(b) (i) Compensation to the extent of the damage sustained shall be made where in the course of the work clothing or tools are damaged or destroyed by fire or molten metal or through the use of corrosive substances: Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

Gloves.

(ii) Suitable canvas or leather gloves shall be provided by employers for operators of pneumatic tools and/or punch and shearing machines and suitable gloves or pads for such other work as the foreman and employee may agree.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the the employer's industrial officer (if there be one) or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day), or else the said equipment shall be provided.

Goggles.

(iii) Suitable mica or other goggles shall be provided by the employer for each employee using emery wheels or where used by more than one employee such goggles shall be sterilized before being used by another employee. An employee when working on emery wheels shall wear the goggles provided for his protection.

Protective Clothing—Galvanizing, etc.

(iv) Employers shall provide suitable protective aprons, rubber gloves, and rubber boots or clogs, to employees engaged the manual handling of materials over hot galvanizing or tinning pots or pickling or plating baths.

Protective Equipment—Welding.

(v) Where necessary employers shall provide electric arc and oxy acetylene operators and their assistants with the following equipment—

- (a) Suitable asbestos sheets,
- (b) Hand screens or helmets fitted with coloured glass (or in the case of oxy-acetylene operators protective glasses with side shields),
- (c) Anti-flash goggles,
- (d) Aprons, leather sleeves and leggings (or overalls of flame-proof material) and gauntlet gloves; and
- (e) Gum or other insulating boots when working in places so damp that danger of electric shock exists.

An employee who is pursuant to this paragraph supplied with any of the equipment specified herein shall wear or use as the case may be such equipment in such a way as to achieve the purpose for which it is supplied.

Tools.

(vi) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination and for sheet metal workers, snips used in the cutting of stainless steel, monel metal and similar hard metal. The employee shall replace or pay for any tools so provided if lost through his negligence.

Dressing Castings.

(c) Where practicable, the dressing and rumbering of castings shall not be carried out in close proximity to employees not doing that work.

Hand-rivetting.

(d) Hand-rivetting on rivets $\frac{3}{4}$ -inch diameter and upwards shall be performed double handed.

Ladles.

(e) (i) All ladles of a holding capacity of 15 cwt. or more in use at the time of the making of this Determination shall be fitted with safety-worm gear or an equivalent safety fitting; and all ladles of a holding capacity of 10 cwt. or more hereafter brought into operation shall be fitted with safety-worm gear.

- (ii) Where molten metal is carried in ladles by hand the weight of molten metal shall not exceed :—
Single-handled ladles—60 lb., including the weight of the ladle.
Other ladles— $\frac{3}{4}$ cwt. per man.

(iii) Where molten metal is carried by hand, a clear passageway not less than 2 ft. 6 in. wide shall be made.

Females—Rest Period.

(f) Female employees shall be allowed a rest period of not less than ten minutes during each day or shift, to be taken during the first or second half of the day or shift as may be decided by a majority of the female employees in a shop.

When requested by employees and where practicable suitable seats shall be provided by the employer for female employees.

Ventilation.

(g) (i) While any work is being carried on in any confined or enclosed space in which—

- (a) fumes, gases, dust or vapours which may be dangerous or injurious are liable to be present or to be generated in the course of the work; or

(b) the atmosphere may otherwise become vitiated

the employer shall install a suction exhaust apparatus, through which by means of a power-driven fan air is drawn from the vicinity of the work in relation to which it is installed.

Where it is impracticable to install such suction exhaust apparatus the employer shall take all such steps as are necessary to ensure safe working conditions in any such confined or enclosed space.

This sub-clause shall not be deemed to be inconsistent with the Harmful Gases, Vapours, Mists, Smokes and Dust Regulations 1945 (published in the *Victoria Government Gazette* No. 21, dated 7th February, 1945) and shall not apply to any processes or occupations to which those Regulations apply.

(ii) Employers shall provide adequate ventilation in workshops where tinning or galvanizing and pickling is carried on, and in workshops where fusing or wet enamel is carried on, facilities for the free circulation of air.

DEFINITIONS.

19. (a) "Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of a workman, or a place where water accumulates underfoot to a depth exceeding 2 inches.

(b) "Confined space" means a working place, the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.

(c) "Association" or "Union" means The Federated Agricultural Implement Machinery and Ironworkers' Association of Australia.

NOTICE BOARD.

20. An employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, and representatives of the Association shall be permitted to post notices of Association meetings upon such board.

POSTING DETERMINATION.

21. A copy of the Determination relating to work carried on in the establishment shall be kept posted in a prominent position by the employer.

MIXED FUNCTIONS.

22. An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift, he shall be paid the higher rate for the time so worked.

EXTRA RATES NOT CUMULATIVE.

23. Extra rates prescribed in this Determination are not cumulative so as to exceed the maximum of double the ordinary rates.

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates set out in clause 2 are based upon the following basic wage for adult males and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage, as prescribed by clause 25.

Basic Wage.

Place.	Adult Males Basic Wage	Index Number Set Assigned.
	Per Week.	
	£ s. d.	
Within the Metropolitan District, the Cities of Geelong, Geelong West, and the Town of Newtown and Chilwell, and the City of Warrnambool	11 17 0	Melbourne
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.		

The Basic Wage for adult females shall be 75 per cent of the Basic Wage for adult males, calculated to the nearest 6d. half or less than half of 6d. in a result to be disregarded.

ADJUSTMENT OF BASIC WAGE.

25. (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 February, 1954, the amount of the basic wage shall be as prescribed in clause 24.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, 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.

In addition to the basic wage prescribed by clause 24, any adult employee of a classification specified hereunder shall be paid the margin and loading hereinafter assigned to that classification, and such loading shall be deemed to be part of his ordinary rate of wage for all purposes of this Determination:—

Classification.	Margin.	Loading.
	s. d.	s. d.
Bedstead smith	22 0	3 0
Chill fitter called on to design and model	36 0	4 0
Other chill fitter	22 0	3 0
Machinist	19 0	3 0
Plater in charge	33 0	4 0
Plater's assistant	20 0	3 0
Polisher and grinder	21 0	3 0
Chipper and caster	18 0	3 0
Bedstead fitter and mounter	22 0	3 0
Employee engaged cutting, binding, straightening, drilling or squaring up parts of bedsteads and frame setter	31 0	3 0
Japanner and lacquerer	19 0	3 0
Other employees with not less than three months' experience in the industry	6 0	3 0
All others	Nil	3 0

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

J. W. RYAN, Secretary.

Melbourne, 9th December, 1953.



VICTORIA GOVERNMENT GAZETTE.

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[1954

Factories and Shops Acts.

DETERMINATION OF THE CARTERS AND DRIVERS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which since the 15th February, 1938, has had the power to determine the lowest prices or rates which may be paid to any person, employed—

- (1) in carting or driving, or in accompanying a carter or driver, and assisting him in carting, driving, loading, unloading, or delivering in connexion with or incidental to some trade or business, but not including persons employed at such work in connexion with a trade which may be or is the subject of a Determination of any of the following Boards, viz. :—

Bread Carters Board,
Chaffcutters Board,
Coal and Coke Board,
Quarry Board,
Shops Board, No. 3 (Butchers),

Shops Board, No. 7 (Country Shop Assistants),
Shops Board, No. 12 (Fuel and Fodder),
Shops Board, No. 13 (Fuel and Fodder—Country),
Shops Board, No. 15 (Grocers);

- (2) in or in connexion with any stable in which are stabled the horses used in his trade or business by any person subject to the Determination of the said Carters and Drivers Board;
- (3) in driving horse-drawn passenger vehicles hired or plying for hire;
- (4) in the business of a livery stable keeper or in a stable where cabs or cab horses are kept;
- (5) in connexion with motor assembly works, warehouses, or showrooms—

- (a) in driving mechanically propelled vehicles in the course of their sale, their delivery to purchasers, or their registration;
- (b) as instructor driver;

has made the following Determination, namely :—

- (a) That, as from the 4th December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.
- (b) That Part I. hereof shall apply to all persons other than those mentioned in sub-clauses (c), (d) or (e) hereunder.
- (c) That, Part II. hereof shall apply only to persons employed as bulk milk carters.
- (d) That Part III. hereof shall apply only to persons employed in the calling or occupation of a driver or dragger in the hauling or dragging of cargo on the wharf to and from the vessel's side and the wharf sheds or stacking grounds during the process of loading or unloading a vessel.
- (e) That Part IV. hereof shall apply only to persons employed by retail dairymen.
- (f) That Part V. hereof shall apply only to persons employed in connexion with the distribution of petrol and petroleum products.

PART I.

(This Part applies to all persons other than those employed (i) as Wharf Druggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products or (iv) as Bulk Milk Carters.)

1.

ADULT EMPLOYEES.

	Weekly Wage. (Including a Loading of 2s.)		
	Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; within 5 Miles of the Chief Post Office, Warrnambool; and within the Mildura and Gippsland Districts.	At Yallourn.	All Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
(1) Employee driving jinker, boiler truck, or float—			
One horse	13 10 0	13 16 6	13 7 0
Two or three horses	13 17 6	14 4 0	13 14 6
Additional horses—2s. extra per day for each extra horse			
(2) Employee driving—			
One horse	13 0 6	13 7 0	12 17 6
Two horses	13 8 6	13 15 0	13 5 6
Three horses	13 13 0	13 19 6	13 10 0
Four horses	13 16 0	14 2 6	13 13 0
Five horses	13 17 6	14 4 0	13 14 6
Additional horses—2s. extra per day for each extra horse except when horses are drawing timber on a train line			
Horse-drawn vehicle drawing trailer—1s. extra per day for each loaded trailer or 6d. per day extra for each empty trailer, provided that not more than one trailer shall be drawn at any one time.			
(3) Employee driving motor cycle with side car ..	13 1 6	13 8 0	12 18 6
(4) Employee driving other motor vehicle having maker's capacity of—			
25 cwt. or less	13 8 6	13 15 0	13 5 6
Over 25 cwt. but not over 3 tons	13 14 6	14 1 0	13 11 6
Over 3 tons but under 6 tons	13 19 0	14 5 6	13 16 0
Further tonnage—for each complete ton over 5—an extra 1s.			
Motor (not being a tractor) drawing trailer—2s. 6d. extra per day for each loaded trailer or 1s. 3d. extra per day for each empty trailer, provided that not more than one trailer shall be drawn at any one time.			
(5) Employee driving mechanical horse with or without one trailer	14 8 6	14 15 0	14 5 6
For each trailer above one drawn at the same time—2s. 6d. per day extra per loaded trailer and 1s. 3d. per day extra per empty trailer. The rates set out in classifications (2), (4) and (5) in regard to trailers shall not apply to empty trailers in transit to and/or from timber vessels at Melbourne or the Graham-street railway siding of the type usually used to unload timber.			
(6) Employee driving articulated vehicle having maker's capacity of 8 tons or less	14 8 6	14 15 0	14 5 6
For each complete ton over 8—an extra 1s.			
(7) Employee driving machinery float having maker's capacity of 8 tons or less	14 13 6	15 0 0	14 10 6
For each complete ton over 8—an extra 1s.			
(8) Employee driving a straddle truck	14 8 6	14 15 0	14 5 6
(9) Loader	13 4 0	13 10 6	13 1 0
(10) Leading Loader	13 13 6	14 0 0	13 10 6
(11) Stableman	12 15 0	13 1 6	12 12 0
(12) Head stableman	13 3 0	13 9 6	13 0 0
(13) Horse driver's assistant	12 11 0	12 17 6	12 8 0
(14) Motor driver's assistant	12 11 0	12 17 6	12 8 0
(15) Yardman	12 11 0	12 17 6	12 8 0
(16) Sanitary carter's mate	14 0 6	14 7 0	13 17 6
(17) Garbage carter's mate	13 7 0	13 13 6	13 4 0

PART I.—(continued).

(This Part applies to all persons other than those employed (i) as Wharf Druggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products, or (iv) as Bulk Milk Carters.)

ADULT EMPLOYEES—continued.

	Per Week.
Further additional amounts for	
(18) Employee carting, loading and/or unloading carbon black except when packed in sealed metal containers per day or part thereof.	6 0
(19) Employee carting, loading and/or unloading offensive material	5 0
(20) Employee carting, loading and/or unloading dirty material—1s. per day	5 0
(21) Employee who is required to cart— Tar (other than in sealed containers) for immediate spreading upon streets, Tar in unsealed containers, Tarred material for spreading upon streets and/or spread either of them upon streets	20 0 16 0 2 0 10 0
(22) Employee who is a recognized furniture carter engaged in removing and/or delivering furniture as defined—	6 0
(23) Employee who is a recognized live stock carter, carting live stock as defined	5 0
(24) Employee driving sanitary vehicle	20 0
(25) Employee driving vehicle collecting garbage	16 0
(26) Driver required to act as salesman of goods in his vehicle	2 0
(27) Driver-salesman as defined in clause 28 (e) of this Determination	10 0
Provided that no employee shall be entitled to receive, in any one week, both the additional amounts set out in items (26) and (27).	
(28) Employee handling money as defined— For any amount handled up to £10 For any amount handled over £10 but not exceeding £100 For any amount handled over £100 but not exceeding £300 For any amount handled over £300 but not exceeding £500 For any amount handled over £500	2 0 6 0 10 0 15 0 20 0
(29) Leading hands in charge of not less than three and not more than ten employees More than ten and not more than twenty employees More than twenty employees Provided that this item shall not apply to a leading loader.	9 0 18 0 27 0
Where a higher further additional amount becomes payable under items (18), (19), (20), (21), (23), (24), or (25) it shall supersede any lesser additional amount contained in these items which otherwise would have been payable for payment.	

JUNIORS.

2. (a) The minimum rate to be paid to junior employees is as follows:—

Under 19 years of age—65 per cent. of the total wage payable to an adult for the class of work performed.

19 years and under 20 years of age—75 per cent. of the total wage payable to an adult for the class of work performed.

20 years of age—the full rate payable to an adult employee for the class of work performed.

(b) No junior under nineteen years of age shall be allowed to drive or be in charge of, more than, one horse within the Metropolitan District, and no junior under eighteen shall be permitted to have sole charge of a motor vehicle.

(c) Juniors shall not be employed in a greater proportion than one junior to every five drivers receiving adult wages.

NO REDUCTION IN WAGES.

3. Nothing in this Determination shall in itself operate to reduce the rate of pay for any classification in existence at the commencing date of this Determination.

HORSE STABLING.

4. Where a driver provides stabling for his horse or horses, he shall be paid 10s. per week for each horse stabled in addition to the minimum rate of wages prescribed.

CASUAL EMPLOYEES.

5. (a) A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he performs, plus 4s. per day or portion thereof.

A minimum payment as for four hours shall be paid.

(b) A casual employee shall be notified at the end of the day if his services are not required next working day; failing such notice, a full day's wages shall be paid for the next working day.

HIGHEST FUNCTION.

6. Where an employee is called upon to perform two or more classes of work on any one day, he shall, for the purpose of assessing the rate of wage to be paid, be deemed to have worked throughout the whole of his working time on that day at the class for which the highest rate of wage is prescribed.

Provided that an employee shall not be transferred to perform a class of work providing a lesser minimum rate of wage than that at which he is usually employed, unless he is given a week's notice.

PAYMENT OF WAGES.

7. (a) All wages and overtime shall be paid in the employer's time on a day to be determined by the employer, but not later than Thursday of each week. The day on being fixed shall not be altered more than once in three months. All wages shall be paid enclosed in an envelope, which shall be clearly endorsed on the outside with the particulars enumerated herein.

Provided that at the option of the employer, the particulars mentioned may be stated on a slip of paper and included in the envelope.

- (i) The gross amount of wages payable;
(ii) the amount of each deduction made and the nature thereof; and
(iii) the net amount of wages paid.

(b) All earnings including overtime shall be paid within two days of the expiration of the week in which they accrue.

(c) If an employer fails to make payment to any employee as prescribed on pay day, he shall pay to each such employee 5s. for each and every day or part thereof during which such defaults continue, unless such failure is due to some act on the part of the employee, or to circumstances not under his control, and which he could not reasonably have foreseen and which he took reasonable steps to avoid or overcome.

(d) Notwithstanding anything herein contained an employer shall pay to an employee who leaves or is dismissed all moneys due to him forthwith failing which he shall pay to the employee the sum of 15s. for each and every day or part thereof during which such defaults continue.

(e) Sub-clauses (a) and (b) hereof shall not apply to an industry in which the work of employees covered by this Determination is only subservient to the main operations of such industry but the practice followed for the majority of the employees in any establishment in such industry shall be applied to employees therein covered by this Determination.

PART I.—(continued).

(This Part applies to all persons other than those employed (i) as Wharf Druggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products, or (iv) as Bulk Milk Carters.)

HOURS OF WORK.

8. (a) The ordinary hours of work shall be 40 per week.
- (b) (i) Subject to the exceptions hereinafter provided the ordinary hours of work are to be worked in five days of not more than 8½ hours (Monday to Friday inclusive) and one day (Saturday) of not more than 4 hours, or five days of not more than 8½ hours (Monday to Friday inclusive) continuously, except for meal breaks, between 7 a.m. and 5.30 p.m. Monday to Friday inclusive and 7 a.m. to 12.30 p.m. on Saturday.
- (ii) In localities where the recognized half-holiday is on a day other than a Saturday the day so recognized may be substituted for Saturday for all the purposes of this Determination.
- (c) Sub-clause (b) (i) in respect of the times within which ordinary hours of work may be performed shall not apply to—
- (i) A stableman or yardman;
 - (ii) Sanitary or garbage carter or carter's mate;
- Provided that the wages of the employees mentioned in (i) and (ii) of this sub-clause shall be increased by 15 per cent. for all time of duty before 7 a.m.
- (iii) A driver employed at—
- (a) A fish, fruit or vegetable store;
 - (b) Carting aerated water, ice or ice-cream in summer.
- Provided that the wages of the employees mentioned in (iii) of this sub-clause shall be increased by 20 per cent. for all time of duty before 7 a.m.
- Provided further that a stableman and yardman shall be entitled to either Sunday or some other day in each week as a clear day off from work and in default thereof one day's extra pay.

Five Days' Week.

- (d) In any case in which the ordinary week's work of 40 hours can be performed in five days as aforesaid without—
- (i) detriment to the public interest;
 - (ii) loss in the value of goods handled or to be handled;
 - (iii) reducing the efficiency of production; or
 - (iv) reducing the efficacy of the necessary service.
- the employer shall allow those employees who so desire to do so to work their ordinary hours in five days as aforesaid.
- It is a condition of the allowing of a five days' week hereunder that if required, employees shall comply with the reasonable and lawful orders of the employer as to working overtime including the working of overtime on Saturday.

STARTING TIMES.

9. (a) Where proper facilities are provided for an employee to sign on when beginning work, and to sign off when leaving work, the work of such employee shall be deemed to commence when he signs on at the yard or depot in the morning and finish when he signs off in the evening.
- (b) Where proper facilities for signing on or off are not provided, work shall be deemed to commence when the employee enters the yard or depot in the morning and to finish when he leaves the yard or depot in the evening.
- Provided that in any case where the horses are stabled at the driver's own home then the driver shall be allowed twenty minutes in the morning and fifteen minutes in the evening to perform the necessary stable work.
- Provided further that in cases where an employee, driver of a motor vehicle, takes the vehicle to his home at the end of the day's work, his finishing time shall be deemed to be the time of arrival at his home and his starting time on the following morning shall be the time at which he signs on at his employer's yard or depot unless he has to proceed direct from his home with or to a job without first going to his employer's yard or depot in which case his starting time shall be the time of leaving his home.
- (c) Each employer shall fix a regular starting time for each of his employees which shall, with respect to each such employee, be the same time in each day of the week. In any case where it is not so fixed such starting time shall be 7.15 a.m. until it is otherwise fixed by the employer. Where an employer desires to vary or change the regular starting time of an employee or employees he shall give one week's notice of such variation or change to the particular employee or employees concerned and also post a notice of the intended change at the depot or yard.

SUNDAY WORK.

10. All time of duty on Sundays shall stand alone and shall be paid for at the rate of double time with a minimum of four hours' pay at double time. Except a stableman or yardman who is regularly required to work on Sunday, who shall be paid at the rate of time and a half with a minimum of three hours' pay at time and a half.

OVERTIME.

11. (a) (i) An employer may require an employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.
- (ii) The union shall not in any way whether directly or indirectly be a party to or concerned in any ban, limitation or restriction upon the working of overtime in accordance with the requirements of this clause.
- (b) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work.
- Provided, however, that the "further additional amounts" set out in items (18), (19), (20), (21), and (28) of clause 1 shall not be subject to the increased rates of pay hereinbefore referred to.
- Except as provided in this sub-clause or sub-clause (c) hereof, in computing overtime each day's work shall stand alone.

Rest Period After Overtime.

- (c) (i) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.
- (ii) An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day, that he has not at least eight consecutive hours off duty between those times, shall, subject to this sub-clause be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.
- (iii) If on the instructions of his employer, such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay or ordinary working time occurring during such absence.

PART I.—(continued).

(This Part applies to all persons other than those employed (i) as Wharf Druggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products or (iv) as Bulk Milk Carters.)

Call Back.

(d) (i) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

(ii) Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (c) hereof where the actual time worked is less than three hours on such recall or on each of such recalls.

Saturday Work—Five Day's Week.

(e) A day worker on a five days' week required to work overtime on a Saturday shall be afforded at least three hours' work or paid for three hours at the appropriate rate except where such overtime is continuous with overtime commenced on the day previous.

Standing-By.

(f) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall, until released, be paid standing-by time at ordinary rates from the time from which he is so told to hold himself in readiness.

Transport of Employees.

(g) When an employee, after having worked overtime, finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home, or pay him his current wage for the time reasonably occupied in reaching his home.

HOLIDAYS.

12. (a) Weekly employees shall be entitled, without deduction of pay, to the following holidays New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day and Boxing Day, and to one other holiday on the day fixed as follows:—

Within 25 miles of the G.P.O., Melbourne—a day to be agreed to by the employer and his employees, and notified beforehand to the Union, and in default thereof the day upon which the Melbourne Cup is run. In any other district—

One day for which a whole or part holiday for the Public Service is gazetted for the district, or in default thereof a day agreed to by the employer and employees concerned and notified beforehand to the Union.

If any other day be by Act of Parliament or Proclamation substituted for any of the above named holidays this provision shall apply only to the day so substituted.

(b) Notwithstanding the provisions of sub-clause (a) hereof where an employee is employed in an employer's industry with respect to which an Award or Determination binding upon that employer makes provision for public holidays for the majority of his employees without loss of pay the employer shall grant the public holidays provided for in such Award or Determination instead of those above mentioned and sub-clause (a) hereof shall be read as if the holidays mentioned in any such Award or Determination had been expressly mentioned herein as alternative to those set out in sub-clause (a) hereof.

(c) No weekly employee who has, without the consent of his employer and without reasonable cause, absented himself from his employment on the day before or the day after a holiday shall be free from deduction of pay in respect of such holiday.

(d) (i) For all time worked by a weekly employee on such holidays or day or days substituted by Act of Parliament or Proclamation in lieu of same payment shall be made at the following rate—

On Good Friday and the Christmas Day Holiday—Time and a half.

On any other holiday—Ordinary time.

The minimum payment shall be as for four hours' work.

(ii) Payment for work on a holiday shall be in addition to any amount payable in respect of the weekly wage.

Provided further that if an employee is required to work on a holiday, other than Good Friday and Christmas Day, during hours which if the day were not a holiday would be outside the range of ordinary working time as mentioned in clause 8 hereof, he shall be paid for such hours at double time instead of the ordinary time as hereinbefore provided in this sub-clause.

Provided that he shall be paid double and a half time for all overtime worked on Good Friday and Christmas Day.

(iii) The preceding part of this sub-clause shall not apply to a stableman, who shall, in lieu thereof, be paid at the rate of double time for ordinary hours of duty on Good Friday and Christmas Day and at the rate of time and a half for ordinary hours of duty on any other holiday with a minimum payment as for three hours' work.

(e) (i) For all time worked by a casual employee on such holidays, payment shall be made at the following rate—

On Good Friday and the Christmas Day Holiday—Double and a half time.

On any other holiday—Double time.

(ii) The minimum payment shall be as for four hours' work. As well as the payment prescribed by this sub-clause, the additional rate prescribed by clause 5 hereof shall be paid.

(f) Where a weekly employee is entitled to any holiday prescribed by this Part, his employer shall notify such employee on the working day immediately preceding such holiday if his services are required thereon and if such notice be not given the employee shall be entitled to take such holiday without deduction of pay.

(g) If an employer intends to carry on business on a day generally observed as a holiday, although not prescribed as such in this Determination, he shall not be entitled to make a deduction from the wages of any weekly employee who fails to present himself for duty on that day unless he shall have given the employee notice of his intention to carry on business on that day.

12A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 12 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

ANNUAL LEAVE.

Period of Leave.

13. (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.

PART I.—(continued).

(This Part applies) to all persons other than those employed (i) as Wharf Druggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products or (iv) as Bulk Milk Carters).

Public Holidays Excluded.

to or (b) (i) Such period of annual leave shall not include holidays observed on working days, but shall include all other non-working days; and (ii) If any holiday falls within an employee's period of annual leave and is observed on the day which in the case of that employee would have been an ordinary working day, there shall be added to that period one day, being an ordinary working day for each such holiday observed as aforesaid; and (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.

(a) At least seven days' notice shall be given to an employee as to when his leave 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.

(i) Any leave which an employee may become entitled hereunder shall be granted by the employer within three calendar months of the same becoming due.

Provided that if because of the conditions operating in any particular industry or of circumstances over which he has no control an employer considers it impossible for him to grant leave to any employee within the said period he may by agreement with the Union postpone such leave until a later date, but the employee shall be entitled to payment for the whole of any part of the leave as has been prescribed provided that consent of the Local Branch of the Union has been obtained.

(ii) Where an employee has become entitled to annual leave hereunder, but leaves or is dismissed for any cause before such leave is granted to him, he shall be paid two weeks' wages in lieu of such leave.

(c) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided in sub-clause (d) hereof, payment shall not be made or accepted in lieu of annual leave. If an employer fails to grant leave within the period of any postponement thereof mentioned in sub-clause (d) hereof and is convicted on that ground for a breach of this Determination, and the employee is not a consenting party to such failure, the employer shall in addition to the wages payable under sub-clause (f) hereof, also pay to such employee, further sum equal to the wages payable under sub-clause (f) hereof.

(d) Each employee before going on leave shall be paid the wages due to him for the period for which he is entitled to leave. For the purposes of this sub-clause and sub-clause (h) hereof the wages shall be at the amount prescribed in this Determination for the occupation at which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment as the case may be, but in the event of an employee being engaged during a period of four weeks prior to such commencement or termination, on two or more occupations entitling him to different rates of pay, the wages to be paid to such employee hereunder shall be the amount of his average weekly wages for that ordinary working time over such period of four weeks.

(e) 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 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 wages paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed in clause 12 of this Part. 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.

(f) 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.

(g) 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; and

(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); and

(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.

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

(1) any annual leave taken therein;

(2) any absences of the kind mentioned in (i) and (ii) of paragraph (i) hereof shall be counted as part of such period; and

(3) in respect of absences of the kind mentioned in (iii) and (iv) of paragraph (i) hereof the employee shall serve such additional period as part of his qualification for annual leave as will equal the period of such absences.

PART I—(continued).

(This Part applies to all persons other than those employed (i) as Wharf Driggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products or (iv) as Bulk Milk Carters.)

- (c) where an employee is absent from work for any cause whatsoever the employer shall if so requested by the employee notify the employee within fourteen days of the receipt of such request whether the employer regards such absence as breaking either conditionally or unconditionally the continuity of service of such employee.

If the employee does not make such request within seven days of his return to work after any such absence such absence shall be deemed to have broken such continuity. If the employer does not give such notice within the said fourteen days such absence shall not be deemed to be such a break.

The employee shall make such request in writing and shall deliver same to the employer's office at the factory where he is employed or there be no such office, to the manager of such factory or in his absence to the employee's foreman. The employer shall give the notification to the employee by having the same delivered to such employee personally in writing.

Calculation of Month.

(k) 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 Transmitlee.

(l) Where the employer is a successor or assignee or transmitlee 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 transmitlee 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.

(m) 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 concerned, 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 week's 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 week's 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 (h) hereof, subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

Industry Awards.

(n) Provided that where an employee is employed in an employer's industry with respect to which an Award or Determination of a Court or Wages Board provides for annual leave with pay such leave being uniform for all employees the employer may grant such employee annual leave in accordance with the provisions of such Award or Determination instead of under this Determination and this Determination shall be read as if the provisions of such Award or Determination had been expressly included herein: Provided further that an employer shall not be entitled to exercise the right conferred on him by this sub-clause unless and until he or some person on his behalf has given written notice to the Union of the Award or Determination under which he proposes to grant the annual leave together with the names of the parties to and the date of such other Award or Determination or such other particulars as will enable such Award or Determination to be identified and of the annual leave therein provided. Any notice so given shall not be changed without the consent of the Union and shall not affect any rights of the employee already accrued under this Determination at the time of giving such notice.

SICK LEAVE.

14. (a) An employee on weekly hiring who is absent from his work on account of personal illness or injury by accident arising out of and in the course of his employment shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.
- (ii) He shall within 24 hours of the commencement of such absence, unless proved to the satisfaction of his employer that such was not reasonably practicable, inform the employer of his inability to attend for duty, and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employee may within one month of this Determination coming into operation or within two weeks of the employee entering his employment require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

and subject to the provisions of the Act relating to the payment of sick leave.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly qualified practitioner that in his, the medical practitioner's opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

PART I—(continued).

(This Part applies to all persons other than those employed (i) as Wharf Driggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products or (iv) as Bulk Milk Carters.)

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) 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 the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the 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 for no longer from the end of the year in which it accrues.

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied in the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

MEAL TIMES.

15. (a) (i) Each employee shall be allowed a break of one hour without pay as a meal time to begin not earlier than 11.30 a.m. nor later than 1.30 p.m.

Provided that where an employee is engaged in an industry where the majority of employees therein have less than one hour for a meal break the duration, and as far as practicable, the time of taking meal breaks shall be uniform with the majority of such other employees.

Provided further that the duration for a meal break shall be regular and not less than 45 minutes or more than one hour and of any other meal break thirty minutes.

(ii) If the break be not so allowed, all time worked after 1.30 p.m. until a break without pay for a meal time is allowed shall be paid for at the rate of ordinary time, the payment to be in addition to any payment due in respect of a weekly or casual wage.

(b) (i) Except as otherwise provided in this clause, no employee shall be required to work for longer than 5½ hours without a break for a meal.

(ii) All time worked over 5½ hours until such a break is allowed shall be paid for at the rate of ordinary time, the payment to be in addition to any payment due in respect of a weekly or casual wage.

(iii) This sub-clause shall not apply to the evening meal time in the case of any employee returning to the yard or depot after the conclusion of any journey or delivery where such employee ceases work not later than 7 p.m. on Monday to Friday inclusive.

(c) (i) Where an employee is required otherwise than because of his own default or delay to continue working after 6 p.m. on Monday to Friday inclusive or 1 p.m. on Saturday without having been informed in some way on the preceding working day that he will be so required he shall be allowed 3s. as meal money.

(ii) An employee who is notified under this sub-clause that he will be required to continue working, but who is not so required to continue working, shall be paid the prescribed meal money.

(iii) This sub-clause shall not apply in the case of any employee returning to the yard or depot after the conclusion of any journey or delivery where such employee ceases work not later than 7 p.m.

(iv) The obligation to pay ordinary time under this clause in addition to weekly or other wages and overtime under any other clause shall not be cumulative, but the employee in cases coming within this clause shall be entitled only to the higher payment.

CONTRACT OF EMPLOYMENT.

Weekly Employment.

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

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases all moneys due, shall be paid to the employee forthwith.

(c) An employee not attending for duty shall, except as provided by clauses 12, 13, and 14 hereof lose his pay for the actual time of such non-attendance.

(d) Where a notice is given by an employer purporting to expire within the week next preceding Christmas Day or Good Friday but the employer expressly or impliedly allows the employee to believe that he is to resume work not later than one week after New Year's Day, or Easter Monday, as the case may be, such notice shall have no effect and the engagement shall be deemed to have continued unaffected by such notice.

(e) A weekly employee shall not be changed to a casual employee within the week next preceding Christmas Day or Good Friday.

(f) Notice to determine the engagement which is given every week or otherwise in such manner that the employee is not able to know with certainty a week before a particular date whether his engagement will or will not be determined by the employer upon that date shall not be deemed a valid notice unless given during a general or shipping or coal strike.

TIME BOOKS.

17. (a) Each employer shall, at the depot or yard at or from or in connexion with which the employee works, or at an office convenient thereto, keep a record or time book showing the name of each employee in which shall be entered the time of starting and finishing work each day, the work performed and class of vehicle driven and number of horses or maker's capacity and the weekly rate of pay for such work, and the amount of overtime worked and the wages and overtime paid to each employee.

Provided proper facilities are provided by the employer for the purpose, such record or time book shall (so far as his starting and finishing time each day is concerned and also the work performed and class of vehicle driven and number of horses or maker's capacity) be made or entered each day by the employee at the time of starting and finishing work.

(b) The age of each employee receiving less than the adult wage shall be entered in the record or time book.

(c) Such record or time book shall, on demand, be produced by the employer or, in his absence, the person in charge or who may be reasonably presumed to be in charge of such depot, yard or office mentioned in sub-clause (a) hereof or the time books kept thereat, to any officials (not more than 2 in number at any one time) of the Union duly authorized in writing by the President and Secretary of the local Branch or sub-branch of the Union at the place where the record or time book is kept. Any demand for production of the record or time book made during ordinary working hours on any ordinary working day, excepting pay day, shall be complied with forthwith. If the time of any such demand shall not be reasonably suitable to the employer (the burden of proof whereof shall be on the employer) for a full and particular inspection and examination of such time book or record by the officials, the employer shall nevertheless produce at such time such time book or record to the officials who shall be then entitled to examine such book or record for the purpose of seeing the nature and general state and condition thereof. A time shall then be agreed upon for the further examination of particulars thereof by such officials and, if not agreed upon, such time between the above hours shall be fixed by the officials and shall not be less than 24 hours or 48 hours in the case of a demand on the day before pay day after the time of the first demand. The officials shall in fixing such time have due regard to the exigencies of the employer's business and must complete each inspection as quickly as reasonably practicable.

(d) Provided that an employer may, at his option, in lieu of a time book, provide a mechanical clock for the purpose of recording the time of each employee, in which case each employee shall, at the end of the week, enter or record the wages and overtime received on some card or check used in connexion with such clock.

(e) Where an employee performs work for which a special rate is provided a record of such work and the nature of same shall be recorded in the time book or equivalent record.

PART I—(continued).

(This Part applies to all persons other than those employed (i) as Wharf Druggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products or (iv) as Bulk Milk Carters.)

UNION DELEGATE.

18. An employee appointed as Union delegate in a depot or garage shall upon notification thereof to the employer by the Branch or sub-branch Secretary of the Union, be recognized as the accredited representative of the Union and shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees in the depot or yard.

NOTICE BOARD.

19. Each employer shall permit a notice board to be erected at his depot or garage for the purpose of posting any notices thereon in connexion with union business; such notice board to be in a prominent position. All notices shall be signed by an official of the Union.

DETERMINATION TO BE EXHIBITED.

20. A copy of the Determination and any variation thereto shall as soon as the official print is available be posted, and kept posted in a prominent place where it is easily accessible to the employees.

TRAVELLING ALLOWANCES.

21. (a) An employee engaged in ordinary travelling on duty or on work on which he is unable to return to his home at night shall be paid such personal expenses as he reasonably incurs in travelling but he shall be paid the sum of 15s. per day at least. Provided that where an employee travels by boat or other conveyance in which his ticket includes meals and bed, he shall not be entitled to the said allowance, and provided that where an employer carrying on a coach and mail service provides or is willing to provide meals and bed the employee is to have the option of receiving 15s. per day or accepting the meals and bed provided by the employer.

(b) An employee prevented from returning with his turnout to the depot or yard from which he started shall be paid any travelling expenses he has to incur, and as if for time worked for the time he reasonably takes to get to his home beyond the time he ordinarily would have taken to get to his home from the depot or yard.

CHANGE OF PLACE OF EMPLOYMENT.

22. When an employer transfers an employee, after he comes to work, from the place from which he usually works, to another place, fares to and from such altered place shall be paid by the employer to the employee whether the employee travels by cycle or otherwise except when transported by the employer.

GEAR TO BE PROVIDED.

23. The employer shall provide all gear necessary for the loading and unloading of vehicles and the securing of loads thereon.

HEAVY ARTICLES.

24. An employee unaided by proper auxiliary appliances or by another man shall not be permitted to lift or carry goods over 200 lbs. in weight.

ARTICLES OF CLOTHING.

25. When an employee is required by law or by his employer to wear any special uniform, cap, overall, or other article, it shall be supplied and paid for by the employer.

CHANGE (MONEY).

26. Where an employer requires an employee to give change to clients, such change shall be supplied by the employer.

HOUSING.

27. (a) Any employee required by his employer to live at a stable, yard or garage, shall be provided with suitable accommodation for such employee free of cost.

(b) If an employer provides proper housing accommodation for an employee and his wife and family, and requires the employee to live there, the employer shall be entitled to charge a rent not exceeding 15s. per week and not exceeding half the rent at which a similar house in the same locality would ordinarily be let.

DEFINITIONS.

28. (a) "Articulated vehicle" shall mean a vehicle with three or more axles, comprising a power unit (called "tractor truck", "prime mover", &c.) and semi-trailer which is superimposed on the power unit, and coupled together by means of a king pin revolving on a turn-table and is articulated whether automatically detachable or permanently coupled.

(b) "Boiler truck" and "V" shall mean a horse drawn vehicle without springs generally used for the carrying of boilers, buildings or other heavy material.

(c) "Casual employee" shall mean an employee engaged and paid as such.

(d) "Dirty material" shall mean coal, coke, briquettes, bitumen (provided that this be limited to bitumen and/or bituminous material for spreading on roads and excluding bitumen in metal containers), plumbago, graphite, black lead, manganese (excluding the article known as ferro- or iron manganese), lime, "Comaidai" lime, tallite, limil, plaster, plaster of Paris, red oxide, zinc oxide, "Quickardo" cement, superphosphate (in second-hand and/or farmers' own bags), rock phosphate, dicalcic phosphate, yellow ochre, red ochre, charcoal, empty flour bags, super cel in jute bags, stone dust, refuses and/or garbage from ships in port, street sweepings, tar in sealed containers, and shives of flax when carted as a full load.

(e) "Driver-salesman" shall mean an employee who is entrusted by his employer with goods or articles for sale and is required to exercise salesmanship in competition with other salesmen in respect of such goods or articles in the normal course of his duty, and who is not in receipt of a commission upon goods or articles sold by him. The term "driver-salesman" shall not include a driver who is entrusted with goods or articles for delivery to customers in such quantities as such customers shall require from him.

(f) "Employee handling money" shall mean an employee subject to this Determination who collects or pays out money and who is responsible for the safe custody of the amounts so collected or carried to be paid out.

(g) "Float" shall mean a horse-drawn vehicle on two or more wheels generally used for carrying plate glass or other heavy material.

(h) "Furniture" shall mean any article of household and/or office furniture which is completely manufactured and ready for use, but shall not include furniture being transported from a factory to a retail store.

(i) "Garbage carter" and "garbage carter's mate" shall mean an employee who is recognized as such.

(j) "Head stableman" shall mean a stableman in charge of and directing the work of other stablemen.

(k) "Horse driver's assistant" and "motor driver's assistant" shall mean and include any employee who accompanies the driver to assist in loading and unloading or delivering.

(l) "Jinker" shall mean a horse-drawn vehicle with or without a fore-carriage, or a vehicle (where the vehicle takes the place of a fore-carriage), with a bow axle under which the load is slung.

(m) "Leading loader" shall mean a loader or ganger in charge of loaders.

(n) "Livestock" shall mean horses, cattle, sheep and pigs.

(o) "Loader" shall mean any employee engaged in loading or unloading any goods, wares, merchandise, or materials on to or from any vehicle and in work incidental to such loading or unloading and a person engaged as a horse driver's assistant or motor driver's assistant but who performs work on the water-front of the nature usually performed by a loader shall be deemed to be loader within this definition whilst performing such work.

PART I—(continued).

(This Part applies to all persons other than those employed (i) as Wharf Druggers, (ii) by Retail Dairymen, (iii) in connexion with the distribution of petrol and petroleum products or (iv) as Bulk Milk Carters.)

(p) "Maker's capacity" shall mean the capacity shown on the certificate of registration issued under the Motor Car Acts.

(q) "Offensive material" shall mean bone dust, bones, blood manure, dead animals, offal, fat, including that which is carted from hotels and restaurants or other places in kerosene tins, tallow in second-hand casks or in second-hand iron or steel drums, green skins, raw hides and sheep skins when fly-blown or maggoty, sausage skin casings (except when packed in non-leaky containers for consumption), saltcake, spent oxide, hair and fleshings, soda ash, muriate of potash, sulphur ex-wharf, sheeps' trotters (known as "pie"), sulphuric acid of the strength of 96 per cent. or 98 per cent., in cases in which the carter is required to handle individual jars, stable, cow or pig manure, meat meal, liver meal, blood meal and T.N.T.

(r) "Sanitary carter's mate" shall mean an employee who accompanies the driver to assist in loading or unloading.

(s) "Saturday" for the purpose of this Determination shall mean either Saturday or such other day as is at present observed as the weekly half-holiday in a particular industry or district.

(t) "Summer" shall mean from the 16th day of October to the 14th day of April inclusive.

(u) "Union" shall mean and refer to the Transport Workers' Union of Australia.

(v) "Yardman" shall mean an employee not otherwise specified, employed in or in connexion with a stable, yard, depot or garage, but shall not include any person exclusively employed as a watchman.

(w) "Year" shall mean the period between the first day of June in each year and the next ensuing thirty-first day of May.

PERIODICAL ADJUSTMENT OF WAGES.

29. The wages rates set out in clause 1 of this part are based upon the following basic wage, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed in clause 30 of this Part.

Place.	Basic Wage	Index Number Set Assigned.
	£ s. d.	
Within 20 miles of G.P.O., Melbourne	11 17 0	Melbourne
Within 10 miles of G.P.O., Geelong—same as the contemporaneous basic wage for Melbourne		
Within 5 miles of the chief Post Office, Warrnambool—same as the contemporaneous basic wage for Melbourne		
Mildura and Gippsland Districts—same as the contemporaneous basic wage for Melbourne		
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week		
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne		

ADJUSTMENT OF BASIC WAGE.

30. (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 February, 1954, the amount of the basic wage shall be as prescribed in clause 29 of this Part.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August or a November, 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 the 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.

PART II.

(This Part applies only to persons employed as Bulk Milk Carters.)

Wage Per Week, 20 Years of Age and Over.

Classification.	Within 20 Miles of G.P.O., Melbourne: within 10 Miles of G.P.O., Geelong: within 5 Miles of the Chief Post Office, Warrnambool: and within the Mildura and Gippsland Districts.	At Yallourn.	All Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
(1) Employee driving motor vehicle having maker's capacity of—25 cwt. or less	13 8 0	13 15 0	13 5 6
Over 25 cwt. but not over 3 tons	13 14 6	13 1 0	13 11 6
Over 3 tons but under 6 tons	13 19 0	14 5 6	13 16 0
Further tonnage—for each complete ton over 6 tons an extra 1s.			
Motor drawing trailer—2s. 6d. extra per day for each loaded trailer or 1s. 3d. extra per day for each empty trailer, provided that not more than one trailer shall be drawn at any one time.			
(2) Employee driving articulated vehicle having maker's capacity of 8 tons or less	14 8 0	14 15 0	14 5 6
For each complete ton over 8 tons an extra 1s.			
(3) Motor driver's assistant	12 17 6	12 17 6	12 8 0

PART II.—(continued.)

(This Part applies only to persons employed as Bulk Milk Carters.)

	Additional Amounts.
	Per Week.
(4) Employee handling money as defined—	s. d.
For any amount handled up to £10	2 0
For any amount handled over £10 but not exceeding £100	6 0
For any amount handled over £100 but not exceeding £300	10 0
For any amount handled over £300 but not exceeding £500	15 0
For any amount handled over £500	20 0
(5) Leading hands in charge of not less than 3 and not more than 10 employees	9 0
More than 10 and not more than 20 employees	18 0
More than 20 employees	27 0

JUNIORS.

2. (a) The minimum rate to be paid to junior employees is as follows:—

Under 19 years of age—65 per cent. of the total wage payable to an adult for the class of work performed.

19 years and under 20 years of age—75 per cent. of the total wages payable to an adult for the class of work performed.

(b) No junior under 19 years of age shall be allowed to drive or be in charge of more than one horse in the Metropolitan District and no junior under 18 shall be permitted to have sole charge of a motor vehicle.

(c) Juniors shall not be employed by any employer in a greater proportion than one junior to every five drivers receiving adult wages.

HIGHEST FUNCTION.

3. Where an employee is called upon to perform two or more classes of work on any one day he shall, for the purpose of assessing the rate of wage to be paid, be deemed to have worked throughout the whole of his working time on that day at the class for which the highest rate of wage is prescribed.

4. Provided that an employee shall not be transferred to perform a class of work providing a lesser minimum rate of wage than that at which he is usually employed, unless he is given a week's notice.

TRAVELLING ALLOWANCES.

(a) An employee engaged in ordinary travelling on duty or on work on which he is unable to return to his home at night shall be paid such personal expenses as he reasonably incurs in travelling but he shall be paid the sum of 15s. per day at least. Provided that where an employee travels by boat or other conveyance in which his ticket includes meals and bed, he shall not be entitled to the said allowance.

(b) An employee prevented from returning with his turnout to the depot or yard from which he started shall be paid any travelling expenses he has to incur, and as if for time worked for the time he reasonably takes to get to his home beyond the time he ordinarily would have taken to get to his home from the depot or yard.

CHANGE OF PLACE OF EMPLOYMENT.

5. Where an employer transfers an employee, after he comes to work from the place from which he usually works to another place, fare to and from such place shall be paid by the employer, whether the employee travels by cycle or otherwise except when transported by the employer.

CONTRACT OF EMPLOYMENT.

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

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases all moneys due, shall be paid to the employee forthwith.

(c) An employee not attending for duty shall, except as provided by clauses 12, 13 and 14 hereof, lose his pay for the actual time of such non-attendance.

(d) Where a notice is given by an employer purporting to expire within the week next preceding Christmas Day or Good Friday but the employer expressly or impliedly allows the employee to believe that he is to resume work not later than one week after New Year's Day or Easter Monday, as the case may be, such notice shall have no effect and the engagement shall be deemed to have continued until such notice.

(e) A weekly employee shall not be changed to a casual employee within the week next preceding Christmas Day or Good Friday.

(f) Notice to determine the engagement which is given every week or otherwise in such manner that the employee is not able to know with certainty a week before a particular date, whether his engagement will or will not be determined by the employer upon that date shall not be deemed a valid notice unless given during a general or shipping or coal strike.

CASUAL EMPLOYEES.

(a) (i) A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this award for the work which he performs, plus four shillings per day, or portion thereof. A minimum payment as for four hours shall be paid.

(b) A casual employee shall be notified at the end of the day if his services are not required next working day, failing such notice, a full day's wages shall be paid for the next working day.

(c) If an employer fails to make payment to any employee as prescribed on pay day, he shall pay to each such employee 5s. for each and every day or part thereof during which such default continues unless such failure is due to some act on the part of the employee or to circumstances not under his control and which he could not reasonably have foreseen and which he took reasonable steps to avoid or overcome.

(d) Notwithstanding anything herein contained an employer shall pay to an employee who leaves or is dismissed all to moneys due to him forthwith, failing which he shall pay to the employee the sum of 5s. for each and every day or part thereof during which such default continues.

PART II.—(continued).

(This Part applies only to persons employed as Bulk Milk Carters.)

HOURS OF WORK.

8. (a) The ordinary hours of work shall be forty per week.
(b) Such ordinary hours shall be worked in five or six days of not more than eight and a quarter hours per day.
(c) All employees shall be entitled to one clear day off from work in each seven days, such day to be fixed by the employer and not altered except by one week's notice. Provided that an employee who is required to work on his day off shall be paid double time for such day irrespective of the number of hours worked on the other six days with a minimum as for four hours.

Afternoon and Broken Shift Workers.

- (d) "Afternoon shift" shall mean any shift which is not a broken shift and finishes after 6 p.m.
(e) Employees shall be paid ten per cent. more than ordinary rates whilst working afternoon or broken shifts.

SATURDAY AND SUNDAY WORK.

9. The minimum rate to be paid for ordinary hours of work performed on Saturday shall be time and a quarter and on Sunday time and a half. Such extra rate to be in substitution for and not cumulative upon the shift premium prescribed in sub-clause (c) of clause 8.

OVERTIME.

10. (a) (i) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.
(ii) The union shall not in any way whether directly or indirectly be a party to or concerned in any ban, limitation or restriction upon the working of overtime in accordance with the requirements of this clause.
(b) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that double time shall be paid for all work done outside ordinary hours on Sunday. Provided further, however, that the additional amounts set out in item 4 of clause 1 shall not be subject to the increased rates of pay hereinbefore referred to. Except as provided in this sub-clause and sub-clause (c) hereof, in computing overtime each day's work shall stand alone.

Rest Period after Overtime.

- (c) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day, that he has not at least eight consecutive hours off duty between those times, shall, subject to this sub-clause be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence. If on the instructions of his employer, such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

- (d) (i) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.
(ii) Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (c) hereof where the actual time worked is less than three hours on such recall or on each of such recalls.

MEAL TIMES.

11. A meal break of not less than forty-five minutes or more than one hour shall be allowed and taken not later than five and a half hours after commencing.

HOLIDAYS.

12. (a) Weekly employees shall be entitled, without deduction of pay, to the following holidays of New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Christmas Day and Boxing Day, and to one other holiday on the day fixed as follows:—

Within twenty-five miles of the G.P.O., Melbourne—a day to be agreed to by the employer and his employees, and notified beforehand to the union, and in default thereof the day upon which the Melbourne Cup is run.

In any other district—one day for which a whole or part holiday for the Public Service is gazetted for the district, or in default thereof a day agreed to by the employer and employees concerned and notified beforehand to the union.

If any other day be by Act of Parliament or Proclamation substituted for any of the above named holidays this provision shall apply only to the day so substituted.

- (b) No weekly employee who has, without the consent of his employer and without reasonable cause, absented himself from his employment on the day before or the day after a holiday shall be free from deduction of pay in respect of such holiday.

- (c) (i) For all time worked by a weekly employee on such holidays, or day or days substituted by Act of Parliament or Proclamation in lieu of same, payment shall be made at the rate of ordinary time. The minimum payment shall be as for four hours.

(ii) Payment for work on a holiday shall be in addition to any amount payable in respect of the weekly wage. Provided that if an employee is required to work on a holiday during hours which if the day were not a holiday would be outside the range of ordinary working time as mentioned in clause 8 hereof, he shall be paid for such hours at double time instead of the ordinary time as hereinbefore provided in this sub-clause.

- (d) (i) For all time worked by a casual employee on such holidays, payment shall be made at the rate of double time.

(ii) The minimum payment shall be as for four hours' work. As well as the payment prescribed by this sub-clause, the additional rate prescribed by clause 6 (ii) hereof shall be paid.

- (e) Where a weekly employee is entitled to any holiday prescribed by this Part, his employer shall notify such employee on the working day immediately preceding such holiday if his services are required thereon and if such notice be not given the employee shall be entitled to take such holiday without deduction of pay.

12A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 12 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

PART II.—(continued).

(This Part applies only to persons employed as Bulk Milk Carters.)

ANNUAL LEAVE.**Period of Leave.**

13. (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.

Seven-day Workers.

(b) In addition to the leave hereinbefore prescribed seven-day workers, that is workers who are rostered to work regularly on Sundays and holidays, shall be allowed seven consecutive days' leave including non-working days.

Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-day worker, he shall be entitled to have the period of fourteen consecutive days annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Public Holidays Excluded.

(c) (i) Such period of annual leave shall not include any of the holidays prescribed by clause 12 of this Part observed on working days, but shall include all other non-working days.

(ii) If any such holiday falls within an employee's period of annual leave and is observed on the day which in the case of that employee would have been an ordinary working day, there shall be added to that period one day, being an ordinary working day for each such holiday observed 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.

(d) 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.

(e) (i) Any leave to which an employee may become entitled hereunder shall be granted by the employer within three calendar months of the same becoming due.

Provided that if because of circumstances over which he has no control an employer considers it impossible for him to grant leave to any employee within the said period he may, subject to the provisions of the *Factories and Shops (Annual Holidays) Act 1946 No. 5111*, by agreement with the union postpone such leave until a later date.

(ii) Where an employee has become entitled to annual leave hereunder, but leaves or is dismissed for any cause before such leave is granted to him, he shall be paid two weeks' wages in lieu of such leave.

Leave to be Given and Taken.

(f) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided in sub-clause (e) hereof, payment shall not be made or accepted in lieu of annual leave. If an employer fails to grant leave within the period of any postponement thereof mentioned in sub-clause (e) hereof and is convicted on that ground for a breach of this Part and the employee is not a consenting party to such failure; the employer shall in addition to the wages payable under sub-clause (g) hereof also pay to such employee a further sum equal to the wages payable under sub-clause (g) hereof

Payment of Wages.

(g) Each employee before going on leave shall be paid the wages due to him for the period for which he is entitled to leave. For the purposes of this sub-clause and sub-clause (i) hereof the wages shall be at the amount prescribed in this Part for the occupation at which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment as the case may be, but in the event of an employee being engaged during a period of four weeks prior to such commencement or termination on two or more occupations entitling him to different rates of pay, the wages to be paid to such employee hereunder shall be the amount of his average weekly wages for ordinary working time over such period of four weeks.

Leave in Advance

(h) (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 (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 of 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 12 of this Part. Provided that in cases where such leave is granted at the request of the employee, the employer may when making payment under sub-clause (g) hereof, withhold from the employee a sum equal to one-twelfth for each complete month of 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.

(i) 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.

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

(a) 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.

(b) 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).

(c) Any absence on account of leave granted imposed or agreed to by the employer.

(d) 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.

PART II.—(continued).**(This Part applies only to persons employed as Bulk Milk Carters.)**

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

- (a) (1) Any annual leave taken therein;
- (2) Any absence of the kind mentioned in (a) and (b) of paragraph (i) hereof shall be counted as part of such period;
- (b) in respect of absences of the kind mentioned in (c) and (d) of paragraph (i) hereof the employee shall serve such additional period as part of his qualification for annual leave as will equal the period of such absences.
- (c) Where an employee is absent from work for any cause whatsoever the employer shall if so requested by the employee notify the employee within fourteen days of the receipt of such request whether the employer regards such absence as breaking either conditionally or unconditionally the continuity of service of such employee. If the employee does not make such a request within seven days of his return to work after any such absence such absence shall be deemed to have broken such continuity. If the employer does not give such notice within the said fourteen days such absence shall not be deemed to be such a break. The employee shall make such request in writing and shall deliver same to the employer's office at the factory or depot where he is employed or if there be no such office, to the manager of such factory or depot or in his absence to the employee's foreman.

The employer shall give the notification to the employee by having the same delivered to such employee personally in writing.

Calculation of Month.

(k) 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 subsequent month shall be reckoned as ending at the end of such subsequent month.

Successor of Assignee or Transmitlee.

(l) Where the employer is a successor or assignee or transmittlee 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 transmittlee 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.

(m) 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 concerned, 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 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 re-opened 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 (i) hereof, subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SICK LEAVE.

14. (a) An employee on weekly hiring who is absent from his work on account of personal illness or injury by accident arising out of and in the course of his employment shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.
- (ii) He shall within 24 hours of the commencement of such absence, unless proved to the satisfaction of his employer that such was not reasonably practicable, inform the employer of his inability to attend for duty, and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employer may within one month of this Determination coming into operation or within two weeks of the employee entering his employment require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly qualified medical practitioner that in his, the medical practitioner's opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) 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 the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the 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 for no longer from the end of the year in which it accrues.

PART II.—(continued).

(This Part applies only to persons employed as Bulk Milk Carters.)

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

ARTICLES OF CLOTHING.

15. Where an employee is required by law or by his employer to wear any special uniform, cap, overall, or other article, it shall be supplied and paid for by the employer.

CHANGE (MONEY).

16. Where an employer requires an employee to give change to clients, such change shall be supplied by the employer.

GEAR TO BE PROVIDED.

17. The employer shall provide all gear necessary for the loading and unloading of vehicles and the securing of loads thereon.

LIFTING OF CANS.

18. Where an employee is required to lift milk or cream cans having a capacity of ten gallons or more, from the ground or other surface, more than eighteen inches below the level of the tray of the vehicle, or on to racks of double decker vehicles, an assistant must be provided.

HOUSING.

19. (a) Any employee required by his employer to live at a stable, yard or garage, shall be provided with suitable accommodation for such employee free of cost.

(b) If an employer provides proper housing accommodation for an employee and his wife and family, and requires the employee to live there, the employer shall be entitled to charge a rent not exceeding fifteen shillings per week and not exceeding half the rent at which a similar house in the same locality would ordinarily be let.

DETERMINATION TO BE EXHIBITED.

20. A copy of the Determination shall, as soon as the official print is available, be posted and kept posted in a prominent place where it is easily accessible to the employees.

NOTICE BOARD.

21. Each employer shall permit a notice board to be erected at his depot or garage for the purpose of posting any notices thereon in connexion with union business; such notice board to be in a prominent position. All notices shall be signed by an official of the union.

TIME BOOKS.

22. (a) Each employer, shall, at the depot or yard at or from or in connexion with which the employee works, or at an office convenient thereto, keep a record or time book showing the name of each employee in which shall be entered the time of starting and finishing work each day, the work performed and class of vehicle driven and number of horses or maker's capacity and the weekly rate of pay for such work and the amount of overtime worked and the wages and overtime paid to each employee. Provided proper facilities are provided by the employer for the purpose, such record or time book shall (so far as his starting and finishing time each day is concerned and also the work performed and class of vehicle driven and number of horses or maker's capacity) be made or entered each day by the employee at the time of starting and finishing work.

(b) The age of each employee receiving less than the adult wage shall be entered in the record or time book.

(c) Such record or time book shall, on demand, be produced by the employer or, in his absence, the person in charge or who may be reasonably presumed to be in charge of such depot, yard or office mentioned in sub-clause (a) hereof or the time books kept thereat to any officials (not more than two in number at any one time) of the claimant union duly authorized in writing by the President and Secretary of the local branch or sub-branch of the union at the place where the record or time book is kept. Any demand for production of the record or time book made during ordinary working hours or any ordinary working day, excepting pay day, shall be complied with forthwith. If the time of any such demand shall not be reasonably suitable to the employer (the burden of proof whereof shall be on the employer) for a full and particular inspection and examination of such time book or record by the officials, the employer shall nevertheless produce at such time such time book or record to the officials who shall be then entitled to examine such book or record for the purpose of seeing the nature and general state and condition thereof. A time shall then be agreed upon for the further examination of particulars thereof by such officials and, if not agreed upon, such time between the above hours shall be fixed by the officials and shall not be less than 24 hours or 48 hours in the case of a demand on the day before pay day after the time of the first demand. The officials shall in fixing such time have due regard to the exigencies of the employer's business and must complete each inspection as quickly as reasonably practicable.

(d) Provided that an employer may, at his option, in lieu of a time book, provide a mechanical clock for the purpose of recording the time of each employee, in which case each employee shall, at the end of the week, enter or record the wages and overtime received on some card or check used in connexion with such clock.

(e) Where an employee performs work for which a special rate is provided a record of such work and the nature of the same shall be recorded in the time book or equivalent record.

UNION DELEGATE.

23. An employee appointed as union delegate in a depot or garage shall upon notification thereof to the employer by the branch or sub-branch secretary of the union, be recognized as the accredited representative of the union and shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees in the depot or yard.

DEFINITIONS.

24. (a) "Articulated vehicle" shall mean a vehicle with three or more axles, comprising a power unit (called "tractor truck" "Prime mover", &c.) and semi-trailer which is superimposed on the power unit and coupled together by means of a king pin revolving on a turntable and is articulated whether automatically detachable or permanently coupled.

(b) "Bulk milk carter" shall mean an employee solely engaged in carting milk or cream in bulk whether carting in tanks and or containers.

(c) "Casual employee" shall mean an employee engaged and paid as such.

PART II.—(continued.)

(This Part applies only to persons employed as Bulk Milk Carters.)

(d) "Employee handling money" shall mean an employee subject to this Determination who collects or pays out money and who is responsible for the safe custody of the amounts so collected or carried to be paid out.

(e) "Makers' capacity" shall mean the capacity shown on the certificate of registration issued under the Motor Car Acts.

(f) "Motor Driver's Assistant" shall mean and include any employee who accompanies the driver to assist in loading, unloading or delivering.

(g) "Union" shall mean and refer to the Transport Workers Union of Australia.

(h) "Year" shall mean the period between the first day of September in each year and the next ensuing 31st day of August.

PERIODICAL ADJUSTMENT OF WAGES.

25. The wages rates set out in clause 1 of this Part are based upon the following basic wage, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed in clause 26 of this Part.

Basic Wage.

Place.	Basic Wage. (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within 20 miles of G.P.O., Melbourne	11 17 0	Melbourne
Within 10 miles of G.P.O., Geelong—same as the contemporaneous basic wage for Melbourne		
Within 5 miles of the chief Post Office, Warrnambool—same as the contemporaneous basic wage for Melbourne		
Mildura and Gippsland Districts—same as the contemporaneous basic wage for Melbourne		
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week		
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne		

ADJUSTMENT OF BASIC WAGE.

26. (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 February, 1954, the amount of the basic wage shall be as prescribed in clause 25.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August or a November, 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 the 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.

PART III.

(This part applies only to persons employed as Wharf Draggers.)

RATES OF WAGE.

1. The minimum rates of wage payable to any person casually employed in the calling or occupation of a driver or dragger in the hauling or dragging of cargo on the wharf to and from the vessel's side and the wharf sheds or stacking grounds during the process of loading or unloading a vessel shall be 6s. 9³/₁₀d., with a minimum payment as for four hours.

ORDINARY HOURS OF EMPLOYMENT.

2. The ordinary hours of duty shall be—

From Monday to Friday inclusive—8 a.m. to 5 p.m.

Saturday—8 a.m. to noon.

Provided that the time occupied in travelling to or from the stable, yard or wharf, with a horse or horses, shall be paid for as if the dragger was actually engaged in dragging operations.

OVERTIME.

3. Overtime as hereinafter defined shall be paid for at the following rates:—

(a) Between 6 p.m. and midnight—

Monday to Friday inclusive—Ordinary rate and a half.

Between midnight and 7 a.m.—Monday to Saturday inclusive—Double ordinary rate.

(b) Where tea hour is observed from 6 p.m. to 7 p.m. by the waterside workers with whom the employee is working the employee shall be paid at the rate of ordinary rate and a half between 5 p.m. and 6 p.m.

(c) For work done on Saturday between noon and midnight and from midnight on Sunday to 7 a.m. on Monday double ordinary rates shall be paid.

(d) For work done on ordinary holidays the rates shall be—

Between midnight and 7 a.m.—Two and one half times the ordinary rate.

Between 8 a.m. and 5 p.m.—Ordinary rate and a half.

Between 5 p.m. and midnight—Double ordinary rate.

(e) For work done between midnight on Saturday and midnight on Sunday and between midnight and midnight on extraordinary holidays two and a half times the ordinary rate shall be paid.

(f) For work done during ordinary hours for more than 88 hours per fortnight or 48 hours in any one week (exclusive of meal times and smoke-ohs)—for such excess ordinary rate and a half.

(g) Men engaged to work between midnight and 7 a.m. under the preceding sub-clauses (c), (d) and (e) herof shall be paid for at least four hours at the appropriate rate.

PART III.—(continued).

(This Part applies to persons employed as Wharf Draggers.)

MEAL HOURS.

4. The hours for meals shall be—

Breakfast—7 a.m. to 8 a.m.

Dinner—Noon to 1 p.m.

Tea—5 p.m. to 6 p.m.

Supper—Midnight to 1 a.m. but when work begins at midnight supper periods are not to be observed.

When frozen cargo is being handled the meal hour may be postponed without payment of additional rate for any time not exceeding half an hour if such suspension is necessary to complete the unloading of a truck, motor waggon or vehicle the unloading of which was started before the time fixed for the meal hour.

WORKING DURING MEAL HOURS.

5. (a) Working during meal hours, except to meet emergencies, shall be avoided as far as possible. If employers require work to continue during a meal hour to meet emergencies, the rates set out hereunder, subject to adjustment under clause 14 of this Part, shall be paid for such meal hour, or portion thereof worked, and thereafter, subject to the exception in respect of frozen cargo in clause 4 of this Part and those hereinafter mentioned shall continue until the employee is discharged or has been allowed a full hour of leisure for a meal.

(b) Employees shall at the employer's option work during such meal hours as are worked by the waterside workers with whom they are working but not otherwise.

(c) In ports where meals are supplied by the employers the payment for work during meal hours shall not apply where the employers in order to expedite the sailing of a vessel arrange for the meal to be supplied either one hour prior to or one hour later than the otherwise specified time of such meal hour. In such cases the employers shall be entitled to arrange meal times within the stipulated period.

	Ordinary Days.	Ordinary Holidays.	Saturday Afternoons.	Sundays and Extraordinary Holidays.
Supper (except where employment begins at midnight)	Treble time	Treble time and a half	..	Treble time and a half
Breakfast where work commences prior to 7 a.m.	Treble time	Treble time and a half	..	Treble time and a half
Breakfast where work commences at 7 a.m. ..	Double time	Double time and a half	..	Treble time and a half
Dinner	Double time	Double time and a half	Treble time	Treble time and a half
Tea except as provided in clause 3 (b) of this Part	Double time	Treble time	Treble time	Treble time and a half

SMOKE-OHS.

6. Employees shall be entitled without loss of pay to the same breaks in their work as are actually observed by the waterside workers with whom they are working but shall feed and water their horses during such smoke-ohs if necessary.

WORKING THROUGH SMOKE-OHS.

7. (a) The employees shall not be entitled to the said breaks of work if the employer be willing to pay double the appropriate rate for the work done during the smoke-oh or where the actual work commences less than two hours before the time of the break.

(b) For work done during smoke-ohs (other than the necessary feeding and watering of horses) double the appropriate rate shall be paid for the time actually worked.

TIME OF DUTY.

8. The time of duty, except as hereinafter provided, shall begin at the time and place at which the employee is directed to present himself for work or for conveyance to work.

PROVISION FOR MEALS.

9. Where employees are required to work on the same or a different job after 5 p.m. or after 6 p.m. in ports where the meal hour is observed by mutual arrangement from 6 p.m. to 7 p.m. at or before the time they are knocked off for the midday meal on the day on which they are so expected to work, or if engaged after the time of the midday meal on that day—at the time picked-up—they shall be notified by the foreman or other representative of the employer of the probable period of time for which their services will be required and will thereupon make provision for meals necessary during such period mentioned, subject to the following conditions:—

- (i) If any meals necessary after 5 p.m. or after 6 p.m. in ports where the meal hour is observed from 6 p.m. to 7 p.m. within that period are provided and not required by the employee owing to work not being available, each such employee shall be paid the sum of 2s. for each such meal provided and not required.
- (ii) If the work exceeds the time mentioned by the foreman or other representative of the employer, and continues beyond a meal hour, and an extra meal or meals have to be obtained away from home, each such employee shall be paid the sum of 2s. for each such meal.
- (iii) If the employees are not notified as before mentioned and work continues beyond a meal hour, they shall each be paid 2s. for each meal obtained away from home.
- (iv) Where employees have been notified and work continues into and through the last meal hour to a finish, no payment shall be due for such meal not partaken during the meal hour time at which the last meal hour would have been observed.
- (v) The employer shall not be liable for these payments if he provide employees with proper meals.
- (vi) Employees required to work beyond the mid-day meal on Saturday shall receive notice of that fact before leaving work on Friday if resuming at the same job, or at the time of engagement—if engaged for work commencing on Saturday morning—and for meals required after mid-day, shall be notified at or before the midday break on the job.
- (vii) Employees engaged to commence work or ordered to resume work prior to the breakfast meal hour on the following working day and who are required beyond that meal hour, unless notified as before mentioned, shall be entitled to payment of the meal allowance.
- (viii) For the purposes of this Part notice given by a foreman or other representative of the employer, to one man in each gang, shall be deemed to be notice to all employees engaged.

HOLIDAYS.

10. (a) The holidays shall be as follows:—

Extraordinary holidays.—Christmas Day, Good Friday, Labour Day, and Sundays.

Ordinary Holidays.—New Year's Day, Easter Monday, Queen's Birthday, Boxing Day, Australia Day, Melbourne Cup Day, and Anzac Day.

(b) "Australia Day" shall mean the day in January observed as such.

(c) "Holidays" shall mean the days prescribed under the law of the State to be observed in lieu of the actual holidays mentioned unless there be no such day prescribed in which case the day to be observed shall be the day on which the holiday falls.

PART III.—(continued).
(This Part applies to persons employed as Wharf Draggers.)

EMPLOYEES TO WHOM THIS PART APPLIES.

11. This Part of this Determination shall apply to casual employees and except as to clause 1 of this Part shall apply to such permanent carters or drivers on weekly engagement as may be temporarily engaged in the occupation of dragging whilst they are so employed in lieu of the provisions dealing with the same subject matter in Part I. of this Determination.

An employer shall not employ a permanent carter or driver on weekly engagement as a casual dragger on a holiday unless there shall be no casual draggers available.

THE OCCUPATION.

12. The duties of a dragger shall be to attend to and/or drive his horse and to attach the horse to the truck. He shall also be responsible for the safe conduct of the load (but not any loading or unloading) whilst on the truck. In the case of an emergency only a dragger may, if agreeable, do other work provided that for each hour or part of an hour so employed he shall be paid the ruling rate prescribed by any Determination for the particular class of work done.

INCORPORATION OF PROVISIONS OF PART I.

13. The provisions of clauses 6, 11 (a), 2, 17, and 20 of Part I. of this Determination are hereby incorporated in this Part.

PERIODICAL ADJUSTMENT OF WAGES.

14. The wages rates set out in clause 1 of this Part shall, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, be automatically adjusted from time to time as prescribed hereafter.

- (1) The index number for Melbourne is to be applied.
- (2) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.
- (3) The amount of addition or deduction assigned in the following table (or in any extension thereof) to the index number division comprising such number is to be ascertained.
- (4) That assigned amount shall for work done during such period of or near a quarter be added to or deducted from the originally prescribed amount of the rate in accordance with that table.
- (5) The division called "original" in the following table is that for the basic wage upon which the rate is to be deemed to have been originally prescribed.

Table.
Original Index Number Division, 1535-1546, Melbourne.

Index Number Divisions for Deductions.	Amounts of Addition or Deduction.	Index Number Divisions for Additions.
	<i>d.</i>	
1535-1545	nil	1535-1545
1523-1534	0 ^s / ₁₀	1546-1557
1512-1522	0 ^s / ₁₀	1558-1568
1500-1511	0 ^s / ₁₀	1569-1580

PART IV.
(This Part applies only to persons employed by Retail Dairymen.)

1. (a) **ADULT EMPLOYEES.**

	Weekly Wage. (Including a Loading of 8s.)		
	Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; within 5 Miles of the Chief Post Office, Warrnambool; and within the Mildura and Gippsland Districts.	At Yallourn.	All Other Parts of Victoria.
	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>
(1) Employee driving—			
One horse	13 0 6	13 7 0	12 17 6
Two horses	13 8 6	13 15 0	13 5 6
(2) Employee driving—			
Motor bicycle with side car	13 1 6	13 8 0	12 18 6
(3) Employee driving other motor vehicle having maker's capacity of—			
25 cwt. or less	13 8 6	13 15 0	13 5 6
Over 25 cwt. but not over 3 tons	13 14 6	14 1 0	13 11 6
Over 3 tons but under 6 tons	13 19 0	14 5 6	13 16 0
Further tonnage—for each complete ton over 5 an extra 1s. per week.			
Motor drawing trailer—2s. 6d. extra per day for each loaded trailer or 1s. 3d. extra per day for each empty trailer, provided that not more than one trailer shall be drawn at any one time.			
(4) Employee driving articulated vehicle having maker's capacity of 8 tons or less	14 8 6	14 15 0	14 5 6
For each complete ton over 8—an extra 1s.			
(5) Stableman	12 15 0	13 1 6	12 12 0
(6) Head stableman	13 3 0	13 9 6	13 0 0
(7) Horse driver's assistant, motor driver's assistant, yardman	12 11 0	12 17 6	12 8 0

PART IV.—(continued).
(This Part applies only to persons employed by Retail Dairymen.)

	Per Week.
	<i>s. d.</i>
Further additional amounts for—	
(8) Carter collector and/or relief driver	10 0
(9) Drivers of milk vehicles	20 0
The further additional amount specified in item No. (9) herein shall not be paid to any employee who absents himself from work on any one day in a week on which he is required to work, unless such employee has a reasonable excuse accepted as such by his employer for so absenting himself from work.	
Provided that the foregoing shall not apply to absence from work upon the rostered day off of such employee or to any day for which he is paid pursuant to the provisions of clause 15 hereof.	
(10) Bulk milk carters and their assistants shall be paid 10 per cent. additional for all time worked during the ordinary hours on afternoon shift. For the purpose of this item "Afternoon shift" shall mean any shift on which the ordinary hours conclude after 6 p.m.	

JUNIORS.

2. (a) The minimum rate to be paid to junior employees is as follows :—
Under 19 years of age—65 per cent. of the total wage payable to an adult for the class of work performed.
19 years and under 20 years of age—75 per cent. of the total wage payable to an adult for the class of work performed.
20 years of age and over—the same rate of wage payable to an adult for the class of work performed.
(b) No junior under nineteen years of age shall be allowed to drive or be in charge of more than one horse within the Metropolitan District, and no junior under eighteen shall be permitted to have sole charge of a motor vehicle.
(c) Juniors shall not be employed in a greater proportion than one junior to every five drivers receiving adult wages.

HORSE STABLING.

3. Where a driver provides stabling for his horse or horses, he shall be paid 10s. per week for each horse stabled in addition to the minimum rate of wages prescribed.

CASUAL EMPLOYEE.

4. (a) A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he performs, plus 4s. per day or portion thereof.
A minimum payment as for four hours shall be paid.
(b) A casual employee shall be notified at the end of the day if his services are not required on the next working day: failing such notice, a full days' wages shall be paid for the next working day.

NO DEDUCTION FROM WAGES.

5. (a) No deduction shall be made from wages when an employee is learning the round or receiving tuition.
(b) No employee shall be permitted to board and lodge with the employer on his premises, except with the written consent of the branch secretary of the union.
(c) No deduction shall be made by an employer for sick and accident funds or for any other reason not expressly provided for in this Part except with the written consent of the employee.

HIGHEST FUNCTION.

6. (a) Where an employee is called upon to perform two or more classes of work on any one day he shall for the purpose of assessing the rate of wage to be paid, be deemed to have worked throughout the whole of his working time on that day at the class for which the highest rate of wages is prescribed.
(b) Notwithstanding anything contained in this clause an employee may be used in the capacities of a Retail Milk Carter and Collector, provided that each separate capacity shall be performed only on one day, and such employee shall be paid weekly at the highest ruling rate of such capacities.
Provided further that no Carter-Collector may be changed from one capacity to another without having at least twelve hours off for rest.

PAYMENT OF WAGES.

7. (a) All wages and overtime shall be paid in the employer's time on a day to be determined by the employer but not later than Thursday of each week. The day on being fixed shall not be altered more than once in three months. All wages shall be paid enclosed in an envelope, which shall be clearly endorsed on the outside with the following particulars :—
(i) The gross amount of wages payable;
(ii) the amount of each deduction made and the nature thereof; and
(iii) the net amount of wages paid.
Provided that at the option of the employer, the particulars mentioned may be stated on a slip of paper and included in the envelope.
(b) All earnings including overtime shall be paid within two days of the expiration of the week in which they accrue.
(c) If an employer fails to make payment to any employee as prescribed on a pay day upon which such employee is in attendance to be paid, or, if such employee is absent on pay day, then upon the next ensuing day upon which such employee is present, the employer shall pay to each such employee 5s. extra for each and every day or part thereof during which such default in payment continues.
(d) Notwithstanding anything herein contained an employer shall pay to an employee who leaves or is dismissed all moneys due to him forthwith, failing which he shall pay to the employee the sum of 5s. for each and every day or part thereof during which such default continues.

HOURS OF WORK.

8. (a) The ordinary working hours per week for a weekly employee shall be 40. Such ordinary number of working hours shall include time worked on a Sunday.
(b) The ordinary hours of work for employees other than bulk milk carters shall be worked in six days of not more than six hours and forty minutes.
(c) All time from the earliest starting time to the latest finishing time shall be counted as time worked, excepting for bulk milk carters and their assistants.

PART IV.—(continued).

(This Part applies only to persons employed by Retail Dairymen.)

(d) (i) The ordinary hours of work of retail milk carters and their assistants within twenty miles of the G.P.O., Melbourne shall be between 1 a.m. and 9 a.m. Provided that the ordinary working hours of such employees who deliver milk to shops, factories, warehouses and/or offices inside the boundaries of Flinders, Lonsdale, Spring and Spencer streets, shall be between the hours of 5 a.m. and 1 p.m.

(ii) The ordinary hours of work of semi-wholesale milk carters and their assistants within twenty miles of the G.P.O., Melbourne shall be between the hours of 5 a.m. and 1 p.m.

(iii) Outside a radius of twenty miles of the G.P.O. Melbourne the starting and finishing time of the ordinary hours of work of all employees, with the exception of bulk milk carters, shall be as agreed between the employer and the Secretary of the appropriate branch or sub-branch of the Transport Workers Union of Australia.

(iv) The ordinary hours of work of bulk milk carters and their assistants shall be worked in five or six days of not more than eight and a quarter hours per day. Provided that all time from the earliest starting time to the latest finishing time other than meal time shall be counted as time worked.

WEEKLY TIMES OFF.

9. (a) Each employee shall, if working day work, be entitled to one clear day off in each seven days, or, if working night work, to one clear night off in each seven nights. Provided that any such employee who is required to work on his day or night off shall be paid at the rate of double time for all time worked on such day or night with a minimum as for four hours. Such rate of double time is in substitution for and not cumulative upon the additional rates prescribed in Clause 12.

(b) Each employer shall fix a regular day or night off, as the case may be, for each such employee and shall enter same in the time book. An employer may alter the regular day or night off of any employee by giving the employee concerned at least seven days' notice of intention to make such change. The day or night so fixed, or as so altered, shall be deemed to be the day or night off for purposes of sub-clause (a) hereof; provided that with a view of giving each employee as far as practicable a turn at having a Sunday or Sunday night off each employer and employee may agree that such employee shall accept a Sunday or Sunday night off in any particular week in lieu of the regular day or night off for such week, and in such case the Sunday or Sunday night shall be deemed to be the day or night off for such week.

(c) An employee on a weekly contract of hiring who does not work on a public holiday because it is his rostered day off shall receive an extra day's pay in respect of such day.

WEEK-END WORK.

10. Every employee who is required by his employer to work upon not less than six days in any one week and thereby works upon a Saturday and/or a Sunday, shall be paid the sum of 11s. 6d. in addition to his other wages for that week, such sum to be in lieu of other week-end penalty rates: provided that no such employee shall be entitled to such sum of 11s. 6d. notwithstanding that he has worked upon Saturday and/or Sunday unless he actually has worked at least six days in the week.

STARTING AND FINISHING TIMES.

11. (a) Where proper facilities are provided for an employee to sign on when beginning work and to sign off when leaving work, the work of such employee shall be deemed to commence when he signs on at the yard or depot and to finish when he leaves the yard or depot.

Where proper facilities for signing on or off are not provided, work shall be deemed to commence when the employee enters the yard or depot and to finish when he leaves the yard or depot.

Provided that in any case where the horses are stabled at the driver's own home then the driver shall be allowed twenty minutes in the morning and fifteen minutes in the evening to perform the necessary stable work.

(b) Each employer shall fix a regular starting time for each of his employees which shall, with respect to each employee be the same time in each day of the week. Where an employer desires to vary or change the regular starting time of any employee or employees he shall give two weeks' notice of such variation or change to the particular employee or employees concerned, and also post a notice of the intended change at the depot or yard.

OVERTIME.

12. (a) (i) An employer may require an employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

(ii) The union shall not in any way whether directly or indirectly be a party to or concerned in any ban, limitation or restriction upon the working of overtime in accordance with the requirements of this clause.

(b) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime worked. Provided that double time shall be paid for all work done outside ordinary hours on Sunday. Provided further, however, that the additional amounts set out in clause 1 of this Part shall not be subject to the increased rates of pay hereinbefore referred to.

Except as provided in this sub-clause and sub-clause (c) hereof, in computing overtime each day's work shall stand alone.

Rest Period After Overtime.

(c) (i) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

(ii) An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day, that he has not at least eight consecutive hours off duty between those times, shall, subject to this sub-clause be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

(iii) If on the instructions of his employer, such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

(d) (i) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

(ii) Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (c) hereof where the actual time worked is less than three hours on such recall or on each of such recalls.

HOLIDAYS.

13. (a) Weekly employees shall be entitled, without deduction of pay, to the following holidays—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day and Boxing Day, and to one other holiday on the day fixed as follows:—

Within 25 miles of the G.P.O., Melbourne—a day to be agreed to by the employer and his employees, and notified beforehand to the Union, and in default thereof the day upon which the Melbourne Cup is run. In any other district—

PART IV.—(continued).**(This Part applies only to persons employed by Retail Dairymen.)**

One day for which a whole or part holiday for the Public Service is gazetted for the district, or in default thereof a day agreed to by the employer and employees concerned and notified beforehand to the Union.
If any other day be by Act of Parliament or Proclamation substituted for any of the above named holidays this provision shall apply only to the day so substituted.

(b) No weekly employee who has without the consent of his employer and without reasonable cause absented himself from his employment on the day before or the day after a holiday shall be free from deduction of pay in respect of such holiday.

(c) (i) For all time worked by a weekly employee on such holidays, or day or days substituted by Act of Parliament or Proclamation in lieu of same payment shall be made at the rate of ordinary time.

The minimum payment shall be as for four hours' work.

Such payments shall be in addition to any amount payable in respect of the weekly wage.

(ii) If an employee is required to work on a holiday during hours which if the day were not a holiday would be outside the range of ordinary working time as mentioned in clauses 8 and 11 he shall be paid for such hours at the rate of double time and a half.

(d) (i) For all time worked by a casual employee on such holidays payment shall be made at the rate of double time. The minimum payment shall be as for four hours' work.

(ii) In addition to the payment prescribed in this sub-clause the additional rate prescribed by clause 4 hereof shall be paid.

(e) Where a weekly employee is entitled to any holiday prescribed by this Part, his employer shall notify such employee on the working day immediately preceding such holiday if his services are required thereon, and if such notice be not given the employees shall be entitled to take such holiday without deduction of pay.

(f) If an employer intends to carry on business on a day generally observed as a holiday, although not prescribed as such in this Part, he shall not be entitled to make a deduction from the wages of any weekly employee who fails to present himself for duty on that day unless he shall have given the employee notice of his intention to carry on business on that day.

13A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday of public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within and defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed in clause 13 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

ANNUAL LEAVE.**Period of Leave.**

14. (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 observed on working days, but shall include all other non-working days.

(ii) If any holiday falls within an employee's period of annual leave and is observed on the day which in the case of that employee would have been an ordinary working day, there shall be added to that period one day, being an ordinary working day for each such holiday observed 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) (i) Any leave to which an employee may become entitled hereunder shall be granted by the employer within three calendar months of the same becoming due.

Provided that if because of the conditions operating in any particular industry or of circumstances over which he has no control an employer considers it impossible for him to grant leave to any employee within the said period he may by agreement with the Union postpone such leave until a later date.

Provided that in very exceptional circumstances payment may be made for the whole or any part of the leave as has been prescribed provided that consent of the Local Branch of the Union has been obtained.

(ii) Where an employee has become entitled to annual leave hereunder, but leaves or is dismissed for any cause before such leave is granted to him, he shall be paid two weeks' wages in lieu of such leave.

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 (d) hereof, payment shall not be made or accepted in lieu of annual leave. If an employer fails to grant leave within the period of any postponement thereof mentioned in sub-clause (d) hereof and is convicted on that ground for a breach of this Determination and the employee is not a consenting party to such failure; the employer shall in addition to the wages payable under sub-clause (f) hereof also pay to such employee a further sum equal to the wages payable under sub-clause (f) hereof.

Payment of Wages.

(f) Each employee before going on leave shall be paid the wages due to him for the period for which he is entitled to leave. For the purposes of this sub-clause and sub-clause (h) hereof the wages shall be at the amount prescribed in this Determination for the occupation at which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment as the case may be, but in the event of an employee being engaged during a period of four weeks prior to such commencement or termination on two or more occupations entitling him to different rates of pay, the wages to be paid to such employee hereunder shall be the amount of his average weekly wages for ordinary working time over such period of four weeks.

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 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 13 of this Part. 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.

PART IV.—(continued).**(This Part applies only to persons employed by Retail Dairymen.)***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) (i) Continuity of service shall be deemed to be continuous notwithstanding—
- (a) 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;
 - (b) 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);
 - (c) any absence on account of leave granted imposed or agreed to by the employer;
 - (d) 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.

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

- (a) (1) any annual leave taken therein;
- (2) any absences of the kind mentioned in (a) and (b) of paragraph (i) hereof shall be counted as part of such period;

- (b) in respect of absences of the kind mentioned in (c) and (d) of paragraph (i) hereof the employee shall serve such additional period as part of his qualification for annual leave as will equal the period of such absences.

- (c) where an employee is absent from work for any cause whatsoever the employer shall if so requested by the employee notify the employee within fourteen days of the receipt of such request whether the employer regards such absence as breaking either conditionally or unconditionally the continuity of service of such employee.

If the employee does not make such written request within seven days of his return to work after any such absence such absence shall be deemed to have broken such continuity. If the employer does not give such notice within the said fourteen days such absence shall not be deemed to be such a break.

The employee shall make such request in writing and shall deliver same to the employer's office at the factory or depot where he is employed or if there be no such office, to the manager of such factory or depot or in his absence to the employee's foreman. The employer shall give the notification to the employee by having the same delivered to such employee personally in writing.

Calculation of Month.

(k) 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.

(l) 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.

SICK LEAVE.

15. (a) An employee on weekly hiring who is absent from his work on account of personal illness or injury by accident arising out of and in the course of his employment shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.
- (ii) He shall within 24 hours of the commencement of such absence, unless proved to the satisfaction of his employer that such was not reasonably practicable inform the employer of his inability to attend for duty, and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employee may within one month of this Determination coming into operation or within two weeks of the employee entering his employment require an employer to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly qualified practitioner that in his, the medical practitioner's opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) 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 the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the 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 for no longer from the end of the year in which it accrues.

PART IV.—(continued).

(This Part applies only to persons employed by Retail Dairymen.)

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied in the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

(e) Notwithstanding anything elsewhere contained in this Determination the provisions therein relating to sick leave shall come into operation on and from the first day of March, 1951.

CONTRACT OF EMPLOYMENT.

Weekly Employment.

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

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases all moneys due, shall be paid to the employee forthwith.

(c) An employee not attending for duty shall, except as provided by clauses, 13, 14, and 15 hereof lose his pay for the actual time of such non-attendance.

(d) Where a notice is given by an employer purporting to expire within the week next preceding Christmas Day or Good Friday but the employer expressly or impliedly allows the employee to believe that he is to resume work not later than one week after New Year's Day, or Easter Monday, as the case may be, such notice shall have no effect and the engagement shall be deemed to have continued unaffected by such notice.

(e) A weekly employee shall not be changed to a casual employee within the week next preceding Christmas Day or Good Friday.

(f) Notice to determine the engagement which is given every week or otherwise in such manner that the employee is not able to know with certainty a week before a particular date whether his engagement will or will not be determined by the employer upon that date shall not be deemed a valid notice unless given during a general or shipping or coal strike.

MEAL TIME.

17. Bulk milk carters and their assistants shall be allowed a meal break of not less than forty-five minutes or more than one hour to be taken not later than five and a half hours after commencing work.

CHANGE OF PLACE OF EMPLOYMENT.

18. When an employer transfers an employee, after he comes to work, from the place from which he usually works, to another place, fares to and from such altered place shall be paid by the employer to the employee whether the employee travels by cycle or otherwise except when transported by the employer.

GEAR TO BE PROVIDED.

19. An employer shall supply his employees with all gear to secure any loads to be carted by them, and effective lamps. In the case of a retail milk round where the provision of an effective torch and a battery is necessary, the same shall be provided and paid for by the employer.

ARTICLES OF CLOTHING.

20. Drivers of retail and semi-wholesale and/or bulk milk vehicles shall be supplied by the employer with at least two overalls per year provided that where an employer fails to provide overalls as prescribed herein an amount of 2s 6d. per week shall be paid by such employer to the employee.

The dates of the issue of such overalls shall be recorded in the time book.

HOUSING.

21. (a) Any employee required by his employer to live at a stable, yard or garage, shall be provided with suitable accommodation for such employee free of cost.

(b) If an employer provides proper housing accommodation for an employee and his wife and family, and requires the employee to live there, the employer shall be entitled to charge a rent not exceeding 15s. per week and not exceeding half the rent at which a similar house in the same locality would ordinarily be let.

TIME BOOKS.

22. (a) Each employer shall, at the depot or yard at or from or in connexion with which the employee works, or at an office convenient thereto, keep a record or time book showing the name of each employee in which shall be entered the time of starting and finishing work each day, the work performed and class of vehicle driven and number of horses or maker's capacity and the weekly rate of pay for such work, and the amount of overtime worked and the wages and overtime paid to each employee.

Provided proper facilities are provided by the employer for the purpose, such record or time book shall (so far as his starting and finishing time each day is concerned and also the work performed and class of vehicle driven and number of horses or maker's capacity) be made or entered each day by the employee at the time of starting and finishing work.

(b) The age of each employee receiving less than the adult wage shall be entered in the record or time book.

(c) Such record or time book shall, on demand, be produced by the employer or, in his absence, the person in charge or who may be reasonably presumed to be in charge of such depot, yard or office mentioned in sub-clause (a) hereof or the time books kept thereat, to any officials (not more than 2 in number at any one time) of the Union duly authorized in writing by the President and Secretary of the local Branch or sub-branch of the Union at the place where the record or time book is kept. Any demand for production of the record or time book made during ordinary working hours on any ordinary working day, excepting pay day, shall be complied with forthwith. If the time of any such demand shall not be reasonably suitable to the employer (the burden of proof whereof shall be on the employer) for a full and particular inspection and examination of such time book or record by the officials, the employer shall nevertheless produce at such time, such time book or record to the officials who shall be then entitled to examine such book or record for the purpose of seeing the nature and general state and condition thereof. A time shall then be agreed upon for the further examination of particulars thereof by such officials and, if not agreed upon, such time between the above hours shall be fixed by the officials and shall not be less than 24 hours or 48 hours in the case of a demand on the day before pay day after the time of the first demand. The officials shall in fixing such time have due regard to the exigencies of the employer's business and must complete each inspection as quickly as reasonably practicable.

(d) Provided that an employer may, at his option, in lieu of a time book, provide a mechanical clock for the purpose of recording the time of each employee, in which case each employee shall, at the end of the week, enter or record the wages and overtime received on some card or check used in connexion with such clock.

(e) Where an employee performs work for which a special rate is provided a record of such work and the nature if same shall be recorded in the time book or equivalent record.

PART IV.—(continued).

(This Part applies to all persons employed by Retail Dairymen.)

UNION DELEGATE.

23. An employee appointed as Union delegate in a depot or garage shall upon notification thereof to the employer by the Branch or sub-branch Secretary of the Union, be recognized as the accredited representative of the Union and shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees in the depot or yard.

NOTICE BOARD.

24. Each employer shall permit a notice board to be erected at his depot or garage for the purpose of posting any notices thereon in connexion with union business; such notice board to be in a prominent position. All notices shall be signed by an official of the Union.

DETERMINATION TO BE EXHIBITED.

25. A copy of the Determination and any variation thereto shall as soon as the official print is available be posted and kept posted in a prominent place where it is easily accessible to the employees.

COLLECTING BY RETAIL MILK CARTERS.

26. No retail milk carter other than those provided for in sub-clause (b) of clause 6 of this Part shall collect or be permitted to collect any accounts other than cash sales or cash collections on the round and during the ordinary course of milk delivery.

LIMITATION OF NUMBER OF CARTER-COLLECTORS.

27. An employer shall not employ more than one carter-collector for each four drivers.

LIFTING MILK CANS.

28. An assistant shall be provided where the driver of a milk waggon is required to lift into the waggon milk in cans having a capacity of ten gallons or more from the ground or other surface more than eighteen inches below the level of the tray of the truck.

DEFINITIONS.

29. (a) "Articulated vehicle" shall mean a road vehicle with three or more axles, comprising a power unit (called "tractor truck", "prime mover", &c.) and semi-trailer which is superimposed on the power unit, revolving on a turn-table and is articulated whether automatically detachable or permanently coupled.

(b) "Bulk milk carter" means a person carting milk or cream in bulk from producers to depots or pasteurising plants railways, retailers or factories, or from depots or pasteurising plants or railways to factories or to retailers.

(c) "Casual employee" shall mean an employee engaged and paid as such.

(d) "Carter Collector" shall mean an employee whose duty it is to collect money and drive a vehicle delivering milk on different days, but shall not include a milk carter making cash sales or cash collections on the round during the ordinary course of milk delivery.

(e) "Horse driver's assistant" and "motor driver's assistant" means any employee who accompanies the driver to assist in loading, unloading, or delivering.

(f) "Head stableman" means a stableman in charge of or directing the work of other stablemen.

(g) "Maker's capacity" shall mean the capacity shown on the certificate of registration issued under the Motor Car Acts.

(h) "Official of the union" shall mean persons certified as such in writing by the President and Secretary of the local branch or sub-branch of the union.

(i) "Retail milk carter" or "driver of a retail milk vehicle" means any person carting milk or cream, other than a person defined in sub-clause (b) hereof as a bulk milk carter.

(j) "Relief driver" shall mean a driver who at the direction of the employer delivers milk on two or more rounds in any one week.

(k) "Saturday" for the purpose of this Part means either Saturday or such other day as is observed as the weekly half-holiday in a particular district.

(l) "Semi-wholesale milk carter" shall mean any person solely carting milk or cream to milk bars, institutions, shops, hotels, hospitals on boarding houses or like places.

(m) "Union" shall mean and refer to the Transport Workers' Union of Australia.

(n) "Yardman" shall mean an employee not otherwise specified, employed in or in connexion with a stable, or yard.

(o) "Year" shall mean the period between the 1st day of March and the next ensuing 28th day of February.

PERIODICAL ADJUSTMENT OF WAGES.

30. The wages rates set out in clause 1 of this Part are based upon the following basic wage, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed in clause 31 of this Part.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Within 20 miles of G.P.O., Melbourne	£ s. d. 11 17 0	Melbourne
Within 10 miles of G.P.O., Geelong—same as the contemporaneous basic wage for Melbourne		
Within 5 miles of the chief Post Office, Warrnambool—same as the contemporaneous basic wage for Melbourne		
Mildura and Gippsland Districts—same as the contemporaneous basic wage for Melbourne		
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week		
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne		

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 February, 1954, the amount 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 a February, a May, an August, or a November, 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 the 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.

PART V.

(This Part applies only to persons employed in connexion with the distribution of petrol and petroleum products.)

1. WAGES PER WEEK.

No.	Classification.	Basic Wage (Adjustable).	Margin.	Loading.	Total Wage Per Week.
		Per Week.	Per Week.	Per Week.	
		£ s. d.	s. d.	s. d.	£ s. d.
1	Aerodrome attendants	11 19 0	47 0	3 0	14 9 0
2	Assistant aerodrome attendants	11 19 0	37 0	3 0	13 19 0
3	An employee appointed as a leading hand aerodrome attendant in charge of a shift— 2s. 6d. per shift extra for each shift or part thereof he works as a leading hand.				
4	Employee driving a motor wagon with a combined weight of vehicle and maximum load of under 10 tons (including margins for salesman-drivers collecting money and when required carting packages, fuel oil in drums or bulk or carting, spreading and/or spraying bituminous products upon the street)	11 19 0	46 0	3 0	14 8 0
5	Employee driving a motor wagon with a combined weight of vehicle and maximum load of 10 tons and up to and including 13 tons (including margins for salesman-drivers, collecting money and when required carting packages, fuel oil in drums or bulk or carting, spreading and/or spraying bituminous products upon a street)	11 19 0	49 0	3 0	14 11 0
6	Further additional amount for each additional ton or part thereof in excess of 13 tons— 1s. per week				
7	Motor (not being a tractor) drawing a trailer— 2s. 6d. extra per day.				
8	Further additional amount for an employee driver of an articulated vehicle, 7s. 6d.				
9	Employee driving oil tractor, tow motor, industrial truck, yard truck or utility vehicle	11 19 0	35 0	3 0	13 17 0
10	Washers and greasers	11 19 0	25 0	3 0	13 7 0
11	Assistant drivers	11 19 0	26 0	3 0	13 8 0
12	Further additional amount for a driver of a yard truck or tractor who is instructed by a superior officer to supervise the work of two or more employees, whether they are engaged under this Part or not, 9s.				

CONTRACT OF EMPLOYMENT.

2. The following shall be the terms and conditions of weekly employment:—

- (a) Where an employee is usually employed without any express undertaking to employ him for at least one week his employment shall be deemed to be that of a casual employee, but in all other cases where an employee is not in express terms engaged as a casual employee, he shall be deemed to be, and be employed as a weekly employee.
- (b) The engagement shall not be terminated on either side except upon one week's notice which may be given at any time, but an employer may pay one week's wages in lieu of giving such notice. This shall not affect the right of the employer to dismiss any employee without notice or payment in lieu of notice for inefficiency, neglect of duty or misconduct.
- (c) Where a notice is given by an employer purporting to expire within a week next preceding Christmas Day or Good Friday, but this employer expressly or impliedly allows the employee to believe that he is to resume work not later than one week after New Year's Day or Easter Monday such notice shall have no effect and the engagement shall be deemed to have continued unaffected by such notice.
- (d) A weekly employee shall not be changed to a casual employee within the week next preceding Christmas Day or Good Friday.
- (e) Notice to terminate the engagement which is given every week or otherwise in such manner that the employee is not able to know with certainty a week before a particular date whether his engagement will or will not be terminated by the employer upon that date shall not be deemed a valid notice unless given during a general or shipping or coal strike.
- (f) An employee to become entitled to payment of the weekly wage prescribed by this Part shall be available ready and willing 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 comprising him, but any employee so available ready and willing to work for the whole week and not justifiably dismissed for any reason set out herein shall be entitled to a full week's wage.
- (g) Subject to the provisions of this Part as to holidays, if an employee absents himself from work, his employer shall be entitled to deduct from his week's wages an amount corresponding with the period of absence.

MIXED FUNCTIONS.

3. Any employee who in any day does work involving different rates of pay, under this or any other Determination shall be paid the highest of such rates for the whole day.

EMPLOYEES DOING WORK OF A LOWER GRADE.

4. Should an employee be temporarily transferred for a period not exceeding one week to perform a class of work carrying a lesser minimum rate of wage than that at which he is usually employed, he shall not during such temporary transfer suffer any reduction in his usual wage.

PART V.—(continued).

(This Part applies only to persons employed in connexion with the distribution of petrol and petroleum products.)

CASUAL EMPLOYEES.

5. (a) A casual employee shall be paid at the rate of one-fifth of the appropriate weekly rate per day plus 5s. additional, with a minimum payment as for eight hours.
- (b) The time to be worked by a casual employee without payment of overtime rate shall not exceed eight hours on any one day from Monday to Friday inclusive.
- (c) A casual employee shall be notified at the end of the day if his services are not required next work day; failing such notice, a full day's wages shall be paid for the next working day.

HOURS OF WORK.

6. (a) Subject to clause 9 of this Part the ordinary hours of work shall be 40 hours per week to be worked in five days of 8 hours per day Monday to Friday inclusive, between the hours of 7 a.m. and 5.30 p.m.
- (b) In any working week in which a holiday occurs under this Part an employee's working week shall be reduced by eight hours for each holiday in that week, without reduction of ordinary weekly pay.

STARTING AND FINISHING TIMES.

7. (a) Where proper facilities are provided for an employee to sign on when beginning work and to sign off when leaving work, the work of such employee shall be deemed to commence when he signs on at the yard or depot in the morning and to finish when he signs off in the evening.
- (b) Where proper facilities for signing on or off are not provided, work shall be deemed to commence when the employee enters the yard or depot in the morning and to finish when he leaves the yard or depot in the evening.
- (c) Each employer shall fix a starting and finishing time for his employees.

ALTERATION OF STARTING TIMES.

8. (a) Except for shift workers, where an employer desires to vary or change the starting time of an employee or employees, he shall give one week's notice of such variation or change to the employee or employees concerned and in the case of a group of employees post a notice of the intended change at the depot or yard. Provided that where it is necessary to transfer a day worker to replace a shift worker who fails to report for duty or who for any reason is unable to continue his duties this sub-clause shall not apply, but the position shall be deemed to be covered by sub-clause (b) hereof.
- (b) Change of shift: Forty-eight hours' notice of any change of shift shall be given to an employee in default of which overtime rates shall be paid for work done outside the ordinary shift hours within forty-eight hours of the time he is notified of the change.

SHIFT WORK.

9. (a) The ordinary hours for shift workers shall not exceed 40 per week provided that where it is necessary a maximum of up to 43 hours may be worked in any one week provided further that over any two consecutive weeks the average hours of work shall not exceed 40. No shift shall exceed 8 hours in length.
- (b) Where employees are engaged regularly on shift work the rate of wage herein prescribed shall be increased as follows:—
- (i) For ordinary shift hours on Mondays to Fridays inclusive—10 per cent.
 - (ii) For ordinary shift hours between midnight on Friday and midnight on Saturday—25 per cent.
 - (iii) For ordinary shift hours worked between midnight on Saturday and midnight on Sunday—50 per cent. Provided that all overtime after ordinary shift hours on such days shall be paid for at the rate of double time. Provided further that each shift shall be paid for at the rate applicable to the day on which the major portion of the shift is worked.
- (c) All shifts of more than four hours shall include a paid crib time of not less than 30 minutes to be taken at a time convenient to the work in hand. Provided that no employee shall be called upon to work a greater period than five hours without a crib time.
- (d) All work performed by an employee on his rostered days off shall be paid for at the rate of double time.

MEAL MONEY.

10. (a) Any employee called upon to work more than one and a half hour's overtime after his usual finishing time shall be paid 2s. 6d. meal money.
- (b) Any employee who is called upon to work more than nine and a half hours on a Saturday, Sunday or public holiday, shall be paid the meal money above prescribed.

MEAL BREAK.

11. (a) Except in the case of shift workers, one hour on Monday to Friday inclusive shall be allowed for a meal between noon and 2 p.m. provided that by agreement in writing between an employer and the union the meal break may be shortened.
- (b) If on instructions from his employer an employee is unable to have a full meal break between noon and 2 p.m. he shall be paid double time from 1 p.m. until the full meal break is allowed.

OVERTIME.

12. (a) All time of duty in excess of and/or outside of the hours prescribed in clauses 6, 7 and 9 of this Part shall be paid at the rate of time and a half for the first three hours on any one day and double time thereafter, such double time to continue until the employee is relieved of duty.
- (b) All overtime shall be paid on the weekly rate of wage that the employee is being paid.
- (c) Each day's overtime shall stand alone and be paid for in addition to the ordinary weekly or casual wage, as the case may be.
- (d) As far as practicable, overtime shall be eliminated, but where necessary, an employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with these requirements, provided that such overtime shall not exceed 16 hours in any one week.
- (e) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid a minimum of 4 hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full four hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion of commencement of ordinary working time.
- (f) When overtime is worked, it shall be so arranged that employees have at least 8 consecutive hours off duty between the work of successive days.

PART V.—(continued).

(This Part applies only to persons employed in connexion with the distribution of petrol and petroleum products.)

An employee, other than a casual employee, who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least 8 consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had 8 consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such employee resumes or continues work without having had such 8 consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had 8 consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

PUBLIC HOLIDAYS.

13. (a) The following days shall be observed as holidays and all employees shall be granted such holidays without any loss of pay :—

New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday Labour Day (or the day observed as such), Anzac Day, Queen's Birthday, Christmas Day, Boxing Day, and any other day specially proclaimed for a national occasion.

If any other day be by Act of Parliament or Proclamation substituted for any of the above named holidays this provision shall apply only to the day so submitted.

(b) Melbourne Cup Day shall be an additional holiday within a radius of 25 miles of the G.P.O. Melbourne, elsewhere in Victoria an additional day to be mutually agreed between each employer and his employees.

(c) Any employee called upon to work on any of the holidays or day or days substituted by Act of Parliament or Proclamation in lieu of same abovementioned shall be notified the day before and in addition to his weekly wage shall be paid at ordinary rates for all time worked (except on Good Friday and Christmas Day, when the additional rate shall be time and a half) with a minimum payment as for four hours. Provided that if an employee is required to work on a holiday during hours which if this day were not a holiday would be outside the range of ordinary working time as mentioned in clauses 6, 7 and 9 of this Part his hourly rate for such work shall be double time and a half on Christmas Day and Good Friday and double time on all other holidays.

Provided further that the double time and a half and double time hereinbefore referred to in the case of shift workers shall be deemed to include all shift premiums prescribed by clause 9 of this Part.

(d) Casual employees called upon to work on any of the holidays abovementioned shall be paid at double rates for the full day plus 5s. additional, provided that for work done on Christmas Day and Good Friday the rates shall be double and a half times ordinary rates plus 5s. additional.

(e) Any employee notified to attend for work on a holiday and not so worked shall be paid at holiday rates for four hours.

13A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 13 hereof.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

SUNDAY WORK.

14. All time worked on Sunday, other than by shift workers, shall stand alone and shall be paid for at the rate of double time with a minimum of four hours.

SATURDAY WORK.

15. All time worked on Saturday, other than by shift workers, shall stand alone and shall be paid for at the rate of time and a half for the first three hours and double time thereafter with a minimum of four hours.

ANNUAL LEAVE.

16. (a) Except as hereinafter provided all weekly employees, after each twelve months' service with an employer, shall be granted two weeks' annual leave on full pay provided that an extra week's annual leave shall be given to all employees working rostered shifts necessitating regular rostered Sunday or holiday work, with a proportionate adjustment to any employee who does not complete twelve months of such service.

(b) An employee whose services are terminated for any cause whatsoever or who leaves his employment in any qualifying period for annual leave shall be granted one-twenty-fifth of his ordinary wages earned during that period or in the case of a shift worker three-fourths of his ordinary wages earned during that period.

(c) Annual leave shall be granted within six months of becoming due.

(d) An employee before going on annual leave shall be paid therefor at the rate at which he was ordinarily employed prior to the commencement of his leave.

(e) Fourteen days' notice shall be given of the commencement of annual leave.

(f) Payment shall not in any circumstances be made in lieu of annual leave.

(g) It shall be an offence for any employee who is on leave to accept other employment during the period of leave, and it shall also be an offence for any employer to knowingly engage a worker who is on annual leave.

(h) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 13 of this Part and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave he shall not be entitled to be paid for any such holiday.

TRAVELLING ALLOWANCE.

17. (a) Where an employer transfers an employee from his usual place of employment to another place of employment he shall pay all fares and expenses incurred in going to and from such place.

(b) Where an employee is required by his employer to travel as a passenger by any conveyance, he shall whilst so travelling be paid at ordinary rates up to a maximum of twelve hours out of every twenty-four of such travelling except on Sundays or holidays when payment shall be at the rate of time and a half, provided that when a sleeping berth is provided by the employer for all night travel, the maximum travelling time to be paid shall be eight hours out of every twenty-four.

(c) Employees whose work necessitates their absence from home overnight shall be paid all expenses reasonably incurred by such absence, with a minimum payment of 15s. per night provided that where an employee travels by boat or other conveyance in which his ticket includes meals and bed he shall not be entitled to the said allowance.

(d) Where an employee is transferred temporarily to work at a place which requires him to travel daily a greater distance from his home than the distance to his usual place of employment, he shall be paid any additional fares and additional travelling time so incurred for a period not exceeding one month.

UNIFORMS.

18. Where an employer requires a special uniform to be worn by employees while on duty, such uniform shall be supplied by the employer free of charge to the employee.

PART V.—(continued.)

(This Part applies only to persons employed in connexion with the distribution of petrol and petroleum products.)

AMENITIES.

19. The following amenities shall be provided by the employer:—

- (a) Wash hand basins.
- (b) Where 10 or more employees covered by this Part are employed, hot and cold showers and an adequate dressing room with individual clothing lockers.

GEAR AND EQUIPMENT TO BE PROVIDED.

20. All necessary gear and equipment shall be provided by the employer.

HEAVY ARTICLES.

21. No employee shall be permitted to lift or carry without proper appliances, goods or material of any kind exceeding 150 lbs. in weight unless an assistant is provided.

UNAUTHORIZED PERSONS ON VEHICLES.

22. An employee shall not permit any unauthorized person or persons to accompany him on his vehicle or permit any such person or persons to assist him in the delivery of goods, wares, merchandise or material unless such person or persons have been engaged as an employee or is the owner of such goods, wares or merchandise or material or is the agent of such owner.

TIME AND WAGES RECORD.

23. (a) Each employer shall keep records at the depot or yard where the employee usually commences work or in a place easily accessible to both the employer and the employee.

(b) Such records shall show the name of each employee, the time he starts and finishes work each day, the number of hours worked by him and the wages and overtime paid.

(c) Such records shall on demand be produced by the employer for inspection by any officials (not more than three in number at the one time) of the Union duly authorized in writing by the president and secretary of the local branch or sub-branch of the Union, at the place where the records are kept between the hours of 10 a.m. and noon and 2 p.m. and 4 p.m. on any day between the 1st and 27th inclusive in each calendar month except on pay day or the day before.

(d) An employer may at his option provide a mechanical clock for the purpose of such record.

(e) The employer and employee shall be severally responsible for the proper compilation of such time record daily.

PAYMENT OF WAGES.

24. (a) Wages shall be paid on the usual pay day of the employer provided that in the case of weekly employees two days' wages may be kept in hand.

(b) Payment of wages shall be made within ten minutes of the time on which the employee ceases duty and if it is delayed beyond that time through any fault or delay of the employer, or because of the place at which the employee has to cease work, the employee shall be paid for the time of delay in excess of 10 minutes at the rate of time and a half.

(c) Casual hands shall be paid at the time of their services being dispensed with and at the place where the work has been performed.

(d) Should any employee leave or be dismissed after due notice during the course of a week, all wages shall be paid to him forthwith upon the expiration of such notice and in default thereof, the employer shall pay such employee a full day's wages for each and every day or part thereof whilst such default continues.

RIGHT OF ENTRY.

25. For the purpose of interviewing employees on legitimate union business, a duly accredited Union representative shall have the right to enter an employer's premises during the mid-day meal break before the commencement and after the cessation of work each day.

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

UNION DELEGATE.

26. An employee appointed as union delegate in a depot or garage shall upon notification thereof to the employer by the branch or sub-branch secretary of the union, be recognized as the accredited representative of the union and shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees in the depot or yard.

NOTICE BOARDS.

27. The employer shall permit a notice board to be erected in his depot or yard, for the purpose of posting any notices thereon in connexion with the meetings or other business of the union; such notice board shall be in a prominent position. All such notices shall be signed by a Union officer or the accredited Union delegate.

DETERMINATION TO BE EXHIBITED.

28. A copy of this Determination shall be posted and kept posted in a prominent position in an accessible place in each depot or yard.

NO REDUCTIONS IN WAGES.

29. Nothing in this Part shall in itself operate to reduce the rate for any classification in existence at the commencing date of this Determination.

EXISTING CUSTOMS.

30. Existing customs and conditions not inconsistent with this Part shall continue.

DEFINITIONS.

31. Unless a contrary intention appears, expressions used in this Part shall have meanings as follows:—

- (a) "Motor waggon driver" means any employee engaged to drive or control any type of delivery vehicle specified in this Part irrespective of his other duties. This definition shall not exclude other duties ordinarily performed by a driver.
- (b) "Assistant driver" means any employee who regularly accompanies a driver to assist him in driving, unloading and/or delivery, but shall not include an employee temporarily accompanying a driver to assist him only in unloading and/or delivery.

PART V.—(continued.)

(This Part applies only to persons employed in connexion with the distribution of petrol and petroleum products.)

- (c) "Aerodrome attendant" means an employee employed in driving an aviation refuelling unit on an aerodrome and operating the unit to deliver aviation gasoline, lubricating oil and/or other aviation products to aircraft or aircraft depots.
- (d) "Assistant aerodrome attendant" means any person other than a driver who is employed in or in connexion with refuelling of aircraft.
- (e) "Launchmaster" means the employee in charge of the crew of an aircraft refuelling launch, responsible for the observance by the crew of the company's aircraft refuelling regulations and the maintenance of the launch.
- (f) "Industrial truck, yard truck or tow motor driver" means an employee driving a vehicle in or around an employer's premises.
- (g) "Official" means any person authorized in writing by the president and secretary of the local branch or sub-branch of the union.
- (h) "Articulated vehicle" means a vehicle with three or more axles comprising a power unit (called tractor truck, prime mover), and semi-trailer which is superimposed on the power unit revolving on a turn-table; and is an articulated vehicle whether automatically detachable or permanently coupled.
- (i) "Utility vehicle" means a truck or van with a carrying capacity of less than 1 ton used mainly for purposes other than delivery of products usually marketed by the employers.
- (j) "Shift work" means work extending for at least two weeks, and performed either in daily recurrent periods wholly or partly between the hours of 5.30 p.m. and 7 a.m. or in regular rotating periods.

PERIODICAL ADJUSTMENT OF WAGES.

32. The wages rates set out in clause 1 of this Part are based upon the following basic wage, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, shall be automatically adjusted by the same amount, and at the same time as such basic wage as prescribed in clause 33 of this Part.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 19 0	Six Capital Cities (Weighted Average)

ADJUSTMENT OF BASIC WAGE.

33. (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 February, 1954, the amount of the basic wage shall be as prescribed in clause 32.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all item" retail price index number by the factor .103 taken to one place of the decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 4th December, 1953.

