



VICTORIA GOVERNMENT GAZETTE.

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[1954

Factories and Shops Acts. DETERMINATION OF THE ENTERTAINMENT EMPLOYEES (PERFORMERS) 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 appointed to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the jurisdiction of any Wages Board heretofore appointed) engaged as performers in radio or other entertainments conducted for private gain” has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 10th May, 1954, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART I.—Theatrical or Other Entertainments.

(OTHER THAN RADIO ENTERTAINMENTS.)

RATES OF PAY.

2. The minimum rates of pay to be paid by an employer to an employee for work, inclusive of work in or incidental to either performances or rehearsals or both, shall be as set out hereunder:—

	Per Week
	£ s. d.
(a) <i>Performances.</i> —Engaged by the week—	
(i) Actor (18 years of age and over)	15 0 0
(ii) Actress (18 years of age and over)	14 0 0
(iii) Male engaged in the chorus or ballet (18 years of age and over)	13 5 0
(iv) Female engaged in the chorus or ballet (18 years of age and over)	12 0 0
(v) Showgirl, model or mannequin (18 years of age and over)	12 0 0
(b) <i>Skaters.</i> —	
(i) Solo, Duo, or Speciality skater, Male (18 years of age and over)	16 10 0
(ii) Solo, Duo or Speciality skater, Female (18 years of age and over)	15 19 0
(iii) Male engaged only in a skating ensemble (18 years of age and over)	15 0 0
(iv) Female engaged only in a skating ensemble (18 years of age and over)	14 0 0
(c) <i>Square Dance Team Members.</i> —	
(i) Male (18 years of age and over)	12 15 0
(ii) Female (18 years of age and over)	11 10 0
(d) (i) Supernumeraries engaged by the week shall be paid 12s. 6d. for each rehearsals and 14s. for each performance, with a minimum payment of £5 per week.	
(ii) Supernumeraries “on tour” shall be paid the applicable ballet or chorus rates of pay together with the “on tour allowance” as hereinafter specified.	
(e) Walking understudy and/or supernumerary understudying one of the other roles in a “legitimate” theatrical production and/or speaking not more than 80 words in the production.	
	£ s. d.
(i) Male (18 years of age and over)	
Not on tour	13 5 0
On tour	15 0 0
(ii) Female (18 years of age and over)	
Not on tour	12 6 0
On tour	14 0 0
(f) A member of the chorus or ballet or skating ensemble speaking not less than seven lines containing in the aggregate not less than 30 words shall be paid an additional sum of 10s.	

(g) *Juveniles*.—

(i) Male—

	£	s.	d.
Under 14 years of age and not under sub-paragraph (iii) of this paragraph	2	15	0
14 years of age and under 16 years of age	3	10	0
16 years of age (not on tour) and under 18 years	4	10	0
16 years of age (on tour) and under 18 years	6	10	0

(ii) Female—

Under 14 years of age and not under sub-paragraph (iii) of this paragraph	2	15	0
14 years of age and under 16 years of age	3	10	0
16 years of age and under 18 years (not on tour)	4	10	0
16 years of age and under 18 years (on tour)	7	1	0

(iii) Children under 14 years of age who are engaged in Pantomime and who do not appear in night performances shall be paid £1 10s. per week for six performances or £2 2s. 6d. for twelve performances. The material for the wardrobe for these children shall be supplied by the employer; if the employer makes the costume it shall remain the employer's property, but otherwise it shall be the property of the child.

(h) When "on tour" an "On Tour Allowance" of £1 11s. per week shall be added to the rates hereinbefore specified. Where full board and lodging is provided by the employer no on tour allowance is payable to the employee. Where accommodation only or meals only are provided by the employer, the employer may deduct 50 per cent. of the on tour allowance.

(i) A member of the ballet or chorus or skating ensemble who acts as a deputy ballet or chorus or skating ensemble master or mistress or who, under the instructions and supervision of the producer or stage manager and/or employer, supervises the numbers or acts to be performed by the ballet or chorus or skating ensemble as the case may be, during a performance or rehearsal shall be paid not less than £1 5s. per week in addition to the per week rate.

(j) If an employee is required by his or her employer to act as understudy he or she shall be paid an additional 7s. 6d. per week for each part understudied as required except that in cases where the part or one of the parts understudied is that of the leading actor or comedian, or leading actress or comedienne, or leading male or female skater, 20s. per week, shall be paid for that part instead of or in addition to the 7s. 6d. as the case may be.

(k) A member of a ballet which gives an entire performance as a ballet unit shall be paid an additional sum of not less than £1 per week, provided however, that this shall not apply to a ballet in Grand Opera, Gilbert and Sullivan, operetta, musical comedy or variety.

(l) A member of the chorus or an actor or actress in Grand Opera shall be paid an additional sum of not less than £1 per week provided however that this shall not apply to Gilbert and Sullivan or operas other than Grand Opera.

REHEARSALS.

3. A person who attends rehearsals at the direction of an employer for a future production and who is not at that time employed in any current production by that employer shall for the period between the first date upon which such person is directed to attend for rehearsal and the commencement of the production be paid as follows:—

(a) Actors and Actresses—Musical Productions and Variety—

	Per Week
	£ s. d.
Up to 24 hours' rehearsal per week	4 10 0
More than 24 and not more than 36 hours' rehearsal per week	6 0 0
More than 36 and not more than 48 hours' rehearsal per week	7 5 0
All work in excess of 48 hours per week shall be paid for at overtime rate	

(b) Actors and Actresses—Legitimate Productions—

Up to 30 hours' rehearsal per week	4 10 0
More than 30 and not more than 40 hours' per week	6 0 0
More than 40 and not more than 52 hours per week	7 5 0
All work in excess of 52 hours' per week shall be paid for at overtime rate.	

(c) Ballet, Chorus, Showgirls, &c.—

Up to 24 hours' rehearsals per week—one half of the appropriate per week rate prescribed in clause 2 hereof.	
More than 24 hours and not more than 36 hours' rehearsals per week—three quarters of the appropriate per week rate prescribed in clause 2 hereof.	
More than 36 and not more than 48 hours' rehearsals per week—the appropriate per week rate prescribed in clause 2 hereof.	
All work in excess of 48 hours per week shall be paid for at overtime rate.	

(d) Rehearsal hours shall (subject to clause 15 hereof) be at the discretion of the employer.

(e) No rehearsal shall be called on Christmas Day, Good Friday or on a Sunday except in an emergency and in that case the employee shall be paid one-third of the prescribed per week rate for any work carried out on that day.

(f) Rehearsals for supernumeraries may be called at any time mutually agreed on between the employer and the Union. Such rehearsals shall not exceed two and a half hours in length.

PROVISION OF MEALS.

4. If an employee is required by an employer to appear in any place where meals and/or light refreshments are served to the public the employer shall provide at his, the employer's expense, a meal for that employee if the total spread of employee's work is over a period of more than four hours from beginning to ending.

Such meal shall be of the type and quality supplied to the public at the employer's establishment. Should the employer fail to provide the employee with such meal the employer shall pay to the employee the sum of 6s. in lieu thereof.

CASUAL ENGAGEMENTS.

5. (a) Casual employees (other than supernumeraries) who are aged 16 years or over shall for each performance be paid one-sixth, plus 15 per centum thereof, of the appropriate per week adult rate. The maximum length of such performance shall be three hours (exclusive of any making up and taking off.)

	Per Performance
	s. d.
(b) Juveniles under sixteen years of age engaged for ensemble, chorus, or ballet	16 0
Any child under sixteen years of age stepping out from chorus or ballet and performing any extra work other than a solo turn, a solo song, or a solo act, an additional amount of	7 6
Any child under sixteen years of age performing a solo turn, a song or an act, in addition to the amount of 16s. payable for ensemble chorus or ballet	15 0

(c) If an engagement which has been made is cancelled by the employer at a time which is less than ten days prior to the date of the performance for which the employee was engaged, the employee shall receive payment in full. If an open air performance is postponed because of rain the employee shall receive half the fee if he is re-engaged for a subsequent presentation not later than three weeks after the date of the postponement otherwise the employee shall receive full payment. Where an open air performance is abandoned because of rain the employee shall be paid in full.

HOURS OF WORK.

6. The ordinary hours of work shall, when performances have commenced, at the option of the employer not exceed 40 hours in any one week or 80 hours in any one fortnight, to be worked on six days (excluding Sundays) per week, but not more than eight hours on any one day including both performances and/or rehearsals.

OVERTIME.

7. (a) *Engaged by the Week.*—(i) For all time worked over eight hours, but not more than ten hours on any one day, or over 40 hours, but not more than 50 hours in any one week or 80 hours in any one fortnight the employee shall be paid at the rate of time and a half for work in excess of eight hours or 40 hours or 80 hours as the case may be. When more than ten hours are worked on any one day or more than 50 hours in any one week the employee shall be paid at the rate of double time of that employee's ordinary weekly wage for all work in excess of 10 hours or 50 hours as the case may be.

(ii) Subject to sub-paragraph (i) of paragraph (a) of this clause any employee detained by the employer or his representative until after 11.30 p.m. shall be paid for the time detained after 11.30 p.m. at the rate of time and a half except in the case of restaurants and cabarets which usually present a floor show after 10 p.m. and/or continue operating after midnight in which case the employee shall be paid only for the time detained after 12 midnight at the rate of time and a half.

(iii) If a female employee is detained until after 11.30 p.m. the employer shall provide for her proper conveyance to her home or pay the employee the cost of such proper conveyance. This provision shall also apply to a male employee if his home is more than a mile from the theatre or other place of engagement.

(b) *Engaged Casually.*—(i) If a performance is longer than three hours or if an employee is detained by the employer during an engagement for more than three hours (excluding making up and/or taking off time) the employee shall be paid at the rate of one-sixth of that class of employees casual fee for each half hour or part thereof in excess of the said three hours that the employee is detained by the employer.

(ii) An employee required to work beyond the hour of 11.30 p.m. or who is detained beyond the hour of 11.30 p.m. by the employer shall be paid at the rate of one-twelfth of that class of employees fees for each half hour or part thereof beyond 11.30 p.m. that the employee is required to work or is detained in addition to any other payments for overtime &c., and the ordinary fee applicable to such employee except in the case of restaurants and cabarets which usually present a floor show after 10 p.m. and/or continue operating after midnight in which case the employee shall be paid at the rate of one-twelfth of the employee's fee for each half hour thereof that the employee is detained after midnight in addition to the employee's ordinary fee for each half hour or part thereof that the employee is detained beyond his three hour performance.

SUNDAYS AND PUBLIC HOLIDAYS.

8. For any work including rehearsals done on Sundays or public holidays, payment shall be made at least as follows:—

(a) On Sundays—

(i) If the engagement is by the week, one-third of the weekly wage received by the employee in addition to his wage for the week.

(ii) If the engagement is not by the week, at least double the prescribed minimum rate per performance. Provided that in the case of performances conducted in the open air or by or for a charitable body, municipal or shire council or religious body, an employee who is engaged for such performance other than by the week shall be paid at least one and a half times the prescribed minimum rate per performance.

(b) On Good Friday, Christmas Day and Labour Day—

(i) If the engagement is by the week one-sixth of the weekly wage received by the employee in addition to his wage for the week.

(ii) If the engagement is not by the week, double the prescribed minimum rate per performance.

(c) On other holidays—

(i) If the engagement is by the week, one-twelfth of the weekly wage received by the employee in addition to his wage for the week.

(ii) If the engagement is not by the week, one and a half times the prescribed minimum rate per performance.

The said other holidays are the days observed as New Year's Day, Australia Day, Easter Monday, Anzac Day, Queen's Birthday, Melbourne Cup Day (Metropolitan District only), Boxing Day and all other days regarded and observed as holidays throughout the State.

(d) In the case of employees engaged by the week, if by reason of any of the holidays referred to in this clause being a holiday no work is done thereon, the wage for the week shall nevertheless be paid without deduction therefor and such holiday shall, for the purpose of clause 13 of this Determination be treated as if there had occurred thereon one of the six or seven or eight or two of the twelve performances, as the case may be, for which that clause provides.

(e) If an employee is required by his employer to travel on a Sunday, he shall, unless he is paid in pursuance of this clause for working on the said Sunday, receive, therefor if engaged by the week one-twelfth, of the weekly wage or if not so engaged, one-half of the prescribed minimum per week or per performance rate appropriate for him.

TRAVELLING.

9. (a) An employee who lives in a particular city or town (either temporarily or permanently) and who is under casual engagement to perform any work at any place away from the city or town in which he resides shall have first-class rail or other transport provided by the employer, and if required to travel at night shall be provided with a sleeping compartment in the case of rail travel. Should the employer not provide such sleeping compartment the employer shall pay to the employee the sum usually charged to the employer by the railway authorities therefor.

(b) The employer shall provide reasonable accommodation at a hotel or boarding house for any casual employee who is obliged to remain and lodge overnight at any place other than his usual place of abode and in default thereof shall pay such employee the sum of £1 5s. for each night that the employee is obliged to remain overnight at any place other than his usual place of abode, and shall also provide the employee with suitable meals or in lieu of each such meal the employer shall pay the employee the sum of 5s. per meal.

(c) Should the total time of an employee's absence from his home town area plus the time occupied in the outward and return journey of a casual employee travelling to and from employment outside exceed twenty-four hours, such employee shall be paid in addition to the applicable rate one quarter of the casual rates hereinbefore provided for each period of twelve hours or part thereof of such excess, in addition to the provision of lodging and meals.

(d) An employee engaged by the week, when travelling on duty, shall be provided by his employer with first class accommodation by rail.

(e) A weekly employee, when travelling on duty at night by train, shall be provided with sleeping accommodation, and if such sleeping accommodation is not available the employee shall be paid the sum which would be charged to the employer by the railway department for such sleeping accommodation if it were available.

(f) Employees engaged by the week while on tour shall be paid their weekly wages from the time the employees leave the place of engagement until they return to that place at the end of the tour, broken weeks at the beginning of the tour to be paid for *pro rata*, and the days of departure and return including Sundays to be each counted as one day worked.

(g) Provided that where employees engaged in performances of a country touring theatrical company travel by rail on rail lines which are not reasonably considered as main lines but could be construed as branch lines, it shall be allowable for the employer to provide such employee with second class rail accommodation on such non-main lines if the distance to be travelled to the next town or performance is less than 100 miles. Where such employees travel at night on branch rail lines where sleeping compartments are not provided for the public by the railway authorities the employer shall be exempt from sub-clause (e) of this clause if he ensures that not more than four employees travel in each compartment.

(h) Where employees are required to travel by land transport other than rail transport, the employer shall ensure adequate and comfortable and covered conveyances with seating for each employee and such travel shall cease by 8 p.m. each day and the employer shall provide each employee so travelled with overnight accommodation or pay the employee the sum of £1 5s. in lieu of such accommodation.

SPECIAL ATTENDANCES.

10. If for the purposes of wardrobe, photography, or any other matter connected with an employer's business, he requires an employee to attend at any place before the commencement of his period of employment, he shall pay the employee for the time of such attendance *pro rata* at the minimum rate prescribed for the employee by clause 2 of this Determination with a minimum payment as for three hours.

This time of any such attendance during the period of employment shall be counted as time worked.

WAGES WHEN PAID.

11. Wages shall be paid to a weekly employee without any deductions (other than advances on account of wages, fines or tax or other deductions which the employer is bound by law to deduct) not later than 10 p.m. on the Friday of each week, except in the case of a broken week, when payment shall be made not later than the same hour on the night of the last performance: Provided that should any employee be short paid or over paid in any week, in the case of short payment he shall receive the amount short paid on the following pay day or as soon thereafter as possible, and in the case of over payment, the amount overpaid shall be deducted from the employee's wage on the following pay day or as soon thereafter as possible: Provided further that this clause shall not affect clause 14 of this Determination.

Wages shall be paid to a casual employee within fifteen minutes of the conclusion of the employee's work.

ENGAGEMENT.

12. (a) In the case of employees not engaged for a tour or for the "run" of the production or presentation and not paid the rates for those casually engaged, the employment shall be terminated on either side only by a week's notice, either given in writing or plainly posted up on the call board or other place seen by the employees in the ordinary course of their employment, which notice may be given at any time during the week, and the employee shall only be entitled to payment *pro rata* for the time up to the expiration of the notice.

(b) In the case of an employee engaged for a tour the employment shall continue until the employee is returned to the place of engagement, but may, in the absence of any agreement to the contrary, be then terminated without notice. Should the employee who has been engaged for a tour leave the employer's employ during the course of the tour such employee shall be responsible for his own return fare unless such leaving be justified by and directly attributable to a breach of the Determination by the employer with respect to such employee during the employment, in which case the fee shall be payable by the employer.

An employee may only be engaged for a tour or for the "run" of a production or presentation if such engagement is made in writing, signed by both employer and employee and a copy of such agreement is lodged at the registered office of the union prior to the commencement of the tour or the "run" as the case may be otherwise the employment shall be considered to be from week to week.

(c) If any work is done by the employee for the employer after the time of the expiration of the notice under sub-clause (a) hereof or after the termination of a touring engagement or an engagement for a "run" under sub-clause (b) hereof otherwise than in pursuance of a separate weekly or touring engagement or an engagement for a "run", it shall be paid for at casual rates.

(d) Employees, to become entitled to be treated as being engaged by the week, must perform such work as the employer shall from time to time require on the days and during the hours worked by the class of employees affected.

TRY-OUTS.

13. The engagement shall not be deemed to have commenced until after a "try-out" if such try-out is desired; and an employee shall not be entitled to any payment until he or she is definitely engaged, except as prescribed herein and for any rehearsals as prescribed in this Determination. No try-out may be made in public and any try-out not involving public appearance shall not be paid for unless the number thereof exceeds three in any calendar month, in which case there shall be paid for each try-out in excess the casual rate as aforesaid. No try-out shall be held on a Sunday.

ABSENCE FROM DUTY.

14. (a) Any employee paid per week absent from duty shall lose pay proportionate to the time of such absence unless he produces or forwards to his employer within forty-eight hours of the commencement of such absence evidence satisfactory to the employer that the absence was reasonable, because of either—

(i) Any illness of himself due neither to his own default nor to accident arising otherwise than out of and in the course of his employment;

or

(ii) any bodily injury to himself caused by accident arising out of and in the course of his employment.

(b) If any dispute shall arise as to deduction of pay on the ground that satisfactory evidence has not been produced or forwarded, the question whether the evidence should have been accepted by the employer as satisfactory may be determined by the secretary or other authorized representative of the Union and the employer or his representative.

TIMES OF PERFORMANCE AND REHEARSAL.

15. (a) In the case of employees engaged in substantially whole time performances.

(i) If such employees are not "on tour" and a rehearsal is held on the same day as a performance the rehearsal shall not exceed four and a half hours in duration. Such rehearsal shall not commence before 10 a.m. except where otherwise provided and shall finish at or before 4 p.m. except where otherwise provided with an interval of one hour or at the employer's option the rehearsal may commence at 10 a.m. and continue until 1.30 p.m. without an interval when rehearsal for that day shall cease.

(ii) If such employees are "on tour" and a rehearsal is held on the same day as a performance the rehearsal shall not exceed three hours in duration and the said three hours shall be in one unbroken period, such rehearsal may be called between the hours of 10 a.m. and 1 p.m. or between the hours 2 p.m. and 5 p.m. at the employer's option.

(b) In the case of employees engaged in "short shows" or other employees employed in cabarets, ballrooms, or restaurants, and who usually appear at their work after 11.15 p.m. If rehearsal is held on the same day as a performance such rehearsal shall not exceed three hours and the said three hours shall be in one unbroken period. Such rehearsal shall not commence before 1 p.m. and shall conclude not later than one and a half hours before the employee's first performance for that day.

(c) In the case of employees engaged in work in a cinema which presents a morning session. If a rehearsal is held on the same day as a performance such rehearsal shall not exceed three hours in length and may commence at 9 a.m. and terminate not later than 12 noon. Such rehearsal shall be in one unbroken period.

(d) If the case of dance hall vocalists and/or dance band vocalists, vocalists engaged to appear with an orchestra, and if such employees do not usually appear at their work after 11.15 p.m. If rehearsal is held on the same day as a performance such rehearsal shall not exceed three hours in duration and the rehearsal may be held between the hours of 10 a.m. and 1 p.m. or 1 p.m. and 5 p.m. at the employer's option.

(e) If no performance is held on the same day as a rehearsal, such rehearsal shall not exceed eight hours in duration, with an interval of one hour. The employee shall be dressed and ready to begin rehearsal at the time fixed to start. Each of the intervals shall contain one continuous hour clear of any dressing, undressing, redressing, making-up or other work. The said interval shall be given during the period between the hours of noon and 2 p.m. or 6 p.m. and 8 p.m. as the case may be.

(f) Where the allowable rehearsal times outlined in this clause are exceeded or the intervals mentioned in this clause are curtailed overtime at the rate of time and a quarter shall be paid for the extra time worked or for the time of curtailment with a minimum of half an hour at the applicable overtime rate.

TIME FOR DRESSING.

16. Thirty minutes shall be allowed to an employee who is engaged on a weekly basis for preparatory duties incidental to a performance such as undressing, making-up and re-dressing, and fifteen minutes shall be allowed after a performance for undressing, washing off grease paint, and re-dressing; such time shall count as working time.

NUMBER OF PERFORMANCES.

17. (a) In substantially whole time performances, when extra performances exceeding eight but not exceeding twelve are presented in Christmas Week, Easter Week or during the pantomime season in December, and January employees shall be paid one-ninth of their weekly wage extra for such performances.

(b) Other than as provided for in sub-clause (a) hereof when an extra performance in a theatre (variety or vaudeville performances excepted) of a substantially whole time nature is presented in any week in which a public holiday occurs, employees shall be paid one-ninth of their weekly wage extra for such performance.

(c) In all other circumstances, where employees give more than eight performances in any one week in substantially whole time performances (variety or vaudeville performances excepted) they shall be paid one-eighth of their weekly wage extra for each such additional performance.

(d) When an employer presents more than eight but not more than twelve performances per week of a variety or vaudeville entertainment of a substantially whole time performance nature, employees shall be paid a total of one-ninth of the prescribed weekly wage extra.

(e) If more than twelve performances per week of variety or vaudeville performances &c., are presented, the employees shall be paid one-tenth of the prescribed weekly wage extra for each such performance over and above twelve.

(f) In the case of a singer engaged as a vocalist with a dance or restaurant orchestra the weekly appearances of such an employee shall not exceed six performances per week, if such employee is required to work after 11.30 p.m. The length of each performance shall not exceed 3½ hours.

(g) In the case of a singer engaged as a vocalist with a dance or restaurant orchestra the weekly appearances of such an employee shall not exceed seven performances per week if one of such performances shall be an afternoon (matinee) performance. Each performance shall not exceed 3½ hours.

(h) In the case of "short shows" such as live artist presentations at cinemas, night clubs, cabarets, ballrooms, restaurants &c., and where the performance is not of a substantially whole time nature and which does not occupy more than one hour from beginning to end the ordinary number of performances shall be not more than twelve per week. In the event of an employee being required to give more than twelve such performances in any one week the employee shall receive a sum equalling one-tenth of his weekly wage in addition to his weekly wage for each such additional performance over and above twelve.

(i) If an employee is engaged on weekly engagement to appear in two or more different contemporaneous productions for the same employer, each production shall be deemed to be a separate week's engagement for the purposes of this Determination, and the number of performances in each shall be counted separately for the purposes of this clause, but this provision shall not apply when one of the productions is a pantomime in a theatre during December and January.

(j) For the purposes of this clause a performance by a dance band or restaurant orchestra with vocalist shall be considered a production and if a vocalist who appears with the orchestra is also directed to perform in that employer's current floor show or in performances presented by any other employer on the same day the employee shall be paid one-tenth of his weekly wage extra for each such performance.

(k) The wages prescribed in sub-paragraphs (i), (ii), (iii), (iv) and (v) of paragraph (a) of Section A of clause 2 of this Determination and in sub-paragraphs (i), (ii), (iii) and (iv) of paragraph (b) of Section A of clause 2 of this Determination and in sub-paragraphs (i) and (ii) of paragraph (c) of Section A of clause 2 of this Determination and in sub-paragraphs (i) and (ii) of paragraph (d) of Section A of clause 2 of this Determination and in sub-paragraphs (i) and (ii) of paragraph (e) of Section A of clause 2 of this Determination and in sub-paragraphs (i), (ii) and (iii) of paragraph (g) of Section A of clause 2 of this Determination shall be the weekly wage for the purpose of calculating hourly rates, overtime, Sunday and holiday rates, rehearsal rates and any other rates of pay based on weekly wage.

TRANSPORTATION OF LUGGAGE.

18. All luggage required by the employee in the execution of his duties shall be taken from the wharf or railway station to the theatre and from the theatre to the wharf or railway station, and from theatre to theatre, at the employer's expense. All reasonable care of such luggage, shall be taken by the employer.

In the case of country touring shows, if the employer's theatre or other place of performance is over half a mile by the shortest available route from the wharf or railway station and there are no trams or other public transport services readily available at the time of arrival or departure of the employees for the commencement or at the conclusion of the show in the town the employer shall at his expense provide transport for the employees and their luggage to and from the station or wharf and the place of performance.

WARDROBE AND MAKE-UP.

19. (a) The employer shall provide make-up for supernumeraries when such employees are not receiving at least the prescribed chorus or ballet rates of pay.

(b) All other employees shall provide their own make-up. When the employer requires the employees to use special body make-up (other than facial or in cases of speciality acts), leg-tan &c., the employer shall provide such make-up.

(c) The employer shall provide all wardrobe including footwear, "wigs," and appurtenances required by him to be used in performance or rehearsal and they must be clean when so provided and kept in clean condition by the employer. It shall be allowable for employees aged fifteen years or under to provide their own wardrobe at the request of the employer in the case of pantomimes and similar performances.

(d) Where the employer fails to provide an employee aged fifteen years or under with wardrobe and such wardrobe is supplied by the employee the employer shall pay the employee a sum of not less than 15s. per week for each suit, frock, or costume or other article supplied by that employee with a minimum payment of 15s. per week plus a sum of 5s. per week for each pair of shoes provided by the employee.

(e) The employer shall provide skating boots and skates, socks and bootlaces to employees whose work includes ice skating. Should the employer not provide skating boots and skates he shall pay the employee 10s. per week in lieu of such provision and 2s. 6d. per week in lieu of socks and laces.

(f) All laundry made necessary by the work of the employee for the employer shall be done at the employer's expense.

ANNUAL HOLIDAY.

20. 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.

ACCESS FOR UNION REPRESENTATIVE.

21. The President and Secretary or any other two officers of the Union, duly authorized in writing, shall, not more than three times in any one week, have access to any place of rehearsal and/or performance to interview employees when they are off duty. The Union representative shall not attempt to interview any employee on or in the precincts of the stage during any actual performance or rehearsal and shall not detain any employee from making an entrance.

NOTICES.

22. The employer shall allow the Actors' Equity of Australia to display at the employer's premises union announcements and notices.

DEFINITIONS.

23. (a) "Actor or Actress" means a person who takes part in a performance and/or is engaged to take part in rehearsal for a performance and who is required to speak by himself or herself in the aggregate more than 80 words, or to sing solo and/or in a duo, and/or trio, and or quartette in the aggregate more than 40 bars of music, or to dance solo and/or in a duo more than 40 bars of music in the aggregate or to perform any speciality and also means a person who is employed as an entertainer.

(b) "Call" means a call or direction to the employee by the employer to attend at a rehearsal at a particular time, or at a particular place and time for the purpose of photography, wardrobe or other legitimate reason.

(c) "Engaged by the week" means being engaged for at least a week of employment terminable only in the manner prescribed by clause 9 of this Determination or being engaged for employment to last longer than a week.

(d) "Engaged casually" means being engaged otherwise than by the week.

(e) "Hometown" means the city or town where the employee was actually engaged by the employer.

(f) "On tour" means being away at the direction of the employer from the actual city, town or other place where the employee was originally engaged by the employer.

(g) "Pantomime" means a production with an appeal primarily for children presented during the Christmas holiday period and shall include (in addition to the nursery stories and fairy tales hitherto presented as Pantomime) such productions as "Peter Pan," "Alice in Wonderland," "The Wizard of Oz," "Snow White and the Seven Dwarfs," and the like.

(h) "Performance" means a performance by an employee and/or employees (The act of performing).

(i) "Playing" means taking part in an actual performance.

(j) Skater means an employee whose performance takes place on ice skates and on an ice rink or on an ice "tank".

(k) "Skating ensemble" means those persons who skate as an ensemble but who do not skate as solo, duo or speciality skaters.

(l) "Square dance team" means two or more persons engaged to give a performance which consists of an exhibition of "square dancing".

(m) "Supernumerary" means a person who takes part in a performance, but is not required therein to speak by himself or herself in the aggregate more than two, or in Shakespearean productions more than five lines, exclusive of shouts, exclamations and utterances marked by authors or stage direction for all (Omnes) the players on the stage to speak at the same time, or required to sing in the aggregate more than sixteen, or in Shakespearean productions more than thirty-two bars of the musical score, if any.

(n) "Time and a quarter," "time and a half," and "double time" used in relation to pay, respectively mean at the rate of one and a quarter, one and a half, and twice the actual pay of the employee in question, calculated *pro rata* for the time for which the payment is to be made.

(o) "Union" means the Actors' Equity of Australia.

(p) "Variety Music Hall or Vaudeville" (performance or production) means a production which contains a number of variety or vaudeville acts and which is not connected by a single or central theme or plot. It may or may not contain a ballet or chorus.

(q) "Wages" means the rate of wage per week or per performance or per hour paid to an employee and is exclusive of any overtime or additional payments such as (but not limited to) overtime, holiday remuneration, additional performances, travelling, understudy, ballet or chorus master or mistress rates and the appropriate on tour or travelling allowance.

(r) "Walking Understudy" means a person who does not appear in an actual performance but who understudies one or more of the artists taking part in a performance.

PERIODICAL ADJUSTMENT OF WAGES.

24. The weekly wages rates for employees (Male and Female) eighteen years of age and over are based upon the following basic wage, and pursuant to the provisions of the *Factories and Shops Act 1934*, the Board hereby determines that such wages rates shall be automatically adjusted as prescribed in clause 25.

Basic Wage.

Place.	Basic Wage (Adjustable).	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 August, 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 an August, a November, a February, or a May, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor 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 weekly wages rates for juveniles (Male and Female) and children under fourteen years of age shall be adjusted at the same time as adjustments are made to the wages rates for employees eighteen years of age and over, by adding to or subtracting from the said weekly wages rates an amount equal to 50 per cent. of the amount of the variation in the basic wage.

(e) The "Per performance" rate for juveniles under sixteen years of age in sub-clause (b) of clause 5, shall be adjusted at the same time as adjustments are made to the wages rates for employees eighteen years of age and over by the following method:—

Using a basic wage of £11 17s. as a base, for each variation of 8s., in the aggregate, in the basic wage an amount of 6d. shall be added to or subtracted from the said "Per performance" rate, as the case may be.

PART II.—Radio Entertainments.

RECORDING.

Casual Employees.

26. (a) These, whether actors, actresses, singers, vaudeville artists, comperes, or other entertainers taking part in recorded transcriptions for use in Commercial Broadcasts, shall be paid as follows:—

Musical presentations—

	£ s. d.
Including rehearsal and recording, provided that the time involved does not exceed one and a half (1½) hours—per "side"	1 8 3
Beyond one and a half (1½) hours on any one day for each quarter (¼) of an hour or part thereof	0 9 9
Recordings of less than fifteen (15) minutes to be paid <i>pro rata</i> with a minimum per call of	1 8 3
Preliminary rehearsals in which no recording is done, per hour or part thereof, but with minimum of 10s. 6d.	0 12 3

A fifteen minute recording or part thereof is one side of a record or a recording of such duration on wax, acetate, fibre, copper wire, or by any other means.

When a singer appears in any recording as a solo performer such singer shall be paid for each solo item after the first in any one programme the sum of 0 15 9

Rehearsal time for these additional periods shall be one half ($\frac{1}{2}$) the time allowed for the first quarter ($\frac{1}{4}$) hour or "side."

When any performer is engaged in chorus work he shall be paid for each fifteen (15) minutes (but with a minimum of 10s.) at the rate of 0 9 3

Provided that should a solo performer be receiving payment as such in any period, he shall not during the same period receive any additional fee as one of the chorus.

Each performer in rehearsals of chorus work shall be paid at the rate per one hour and a half ($1\frac{1}{2}$) hours or part thereof of 0 9 3

£ s. d.

"Legitimate" or "Straight" presentations—

Including rehearsal and recording provided that the time involved does not exceed one (1) hour—per "side" 1 8 3

Beyond one (1) hour on any one day for each quarter ($\frac{1}{4}$) of an hour or part thereof 0 9 9

Recordings of less than fifteen (15) minutes to be paid *pro rata* with a minimum per call of 1 8 3

Preliminary rehearsals in which no recording is done per hour or part thereof 0 15 9

A fifteen minute recording or part thereof is one side of a record or a recording of such duration on wax, acetate, fibre, copper wire, or by any other means.

Weekly Employees.

(b) For the purpose of this sub-clause a week's work shall be deemed to consist of not more than eight hours in any one day or not more than six days in any one week, and not more than 40 hours in any one week.

These employees whether actors, actresses, or radio artists, shall for a week's work be paid 15 0 0

For all time worked in excess of the foregoing on any one day or in one week payment shall be at the rate of time and a half.

Provided that—

Any such employee who in any week takes part in more than twelve (12) recorded "sides of fifteen (15) minutes" shall for each "side" in excess of that number be paid at the rate herein fixed for casual employees.

If any such employee in addition to working on the other six (6) days of any week is required to work on the Sunday he shall be paid at the rate of double pay for such Sunday work.

If the hours of work of any such employee on any one day are "scattered" so as to cover a period exceeding twelve (12) hours he shall be paid at the rate of time and a half for that day.

COMMERCIAL ANNOUNCEMENTS.

27. Actors and actresses when used as such or as announcers, comperes or commentators, shall for each hour or part thereof be paid 1 8 3

If used in more than one half ($\frac{1}{2}$) the aggregate number of announcements in any one hour, an additional amount of 0 15 9

LIVE SHOWS, ACTUAL BROADCASTS, ETC.

Casual Employees.

28. (a) These whether actors, actresses, singers, vaudeville artists, comperes, or other entertainers taking part in broadcast performances for use in Commercial Broadcasts shall be paid as follows:—

Musical presentations—

£ s. d.

Including rehearsal and broadcasting, provided that the time involved does not exceed one and a half ($1\frac{1}{2}$) hours—per fifteen (15) minutes broadcast 1 8 3

Rehearsal beyond one and a half ($1\frac{1}{2}$) hours on any one day, for every quarter ($\frac{1}{4}$) hour or part thereof 0 9 9

Broadcasts of less than fifteen (15) minutes to be paid *pro rata* with a minimum per call of 1 8 3

Preliminary rehearsals in which no broadcasting is done, per hour or part thereof (but with a minimum of 10s. 6d.) 0 12 3

When a singer appears in any broadcast as a solo performer he shall be paid for each solo item after the first in any one programme the sum of 0 15 9

Rehearsal time for these additional periods shall be one half ($\frac{1}{2}$) the time allowed for the first quarter ($\frac{1}{4}$) hour broadcast or performance.

"Legitimate" or "Straight" presentations. Including rehearsal and broadcasting, provided that the time involved does not exceed one (1) hour—per fifteen (15) minute broadcast or performance 1 8 3

Beyond one (1) hour on any one day for every quarter ($\frac{1}{4}$) of an hour or part thereof 0 9 9

Broadcasts of less than fifteen (15) minutes to be paid *pro rata* with minimum per call of 1 8 3

Preliminary rehearsals in which no broadcasting is done, per hour or part thereof 0 15 9

When any performer is engaged in chorus work he shall be paid for each fifteen (15) minutes but with a minimum of (10s.) at the rate of 0 9 3

Provided that should a solo performer be receiving payment as such in any period, he shall not during the same period receive any additional fee as one of the chorus

Each performer in rehearsals of chorus work shall be paid at the rate per one hour and a half ($1\frac{1}{2}$ hrs.) or part thereof 0 9 3

Weekly Employees.

(b) For the purpose of this sub-clause a week's work shall be deemed to consist of not more than eight hours in any one day or not more than six days in any one week, and not more than 40 hours in any one week—

£ s. d.

These employees whether actors, actresses, or radio artists, shall for a week's work be paid 15 0 0

For all time worked in excess of the foregoing on any one day or in any one week payment shall be at the rate of time and a half.

Provided that—

Any such employee who in any week takes part in more than twelve (12) broadcasts or performances of fifteen (15) minutes shall for each broadcast or performance in excess of that number be paid at the rate herein fixed for casual employees.

If any such employee in addition to working on the other six (6) days of any week is required to work on the Sunday he shall be paid at the rate of double time for such Sunday work.

If the hours of work of any such employee on any one day are "scattered" so as to cover a period exceeding twelve (12) hours he shall be paid at the rate of time and a half for that day.

When in any recording or broadcast a singer appears as a solo performer for a period exceeding fifteen (15) minutes or one "side," such singer shall be paid for each solo item beyond the first in the same programme the sum of 0 15 9

Rehearsal time for each such solo item beyond the first shall be one half ($\frac{1}{2}$) the rehearsal time allowed for the first period of fifteen (15) minutes or one "side."

SPECIAL RATES.

29. Double time shall be the special rate payable for all work done on New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Melbourne Cup Day (Metropolitan District only), 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 the special rate shall be payable for work done only on the day so substituted.

AUDITIONS, SAMPLE RECORDINGS, OR TRIAL BROADCASTS.

30. These according to their specific type as set out in this Determination, and whether broadcast for public or private purposes, or recorded for any reason whatever, shall be paid for in full, but this shall not apply to any voice test in private unless it entails a previous rehearsal.

REMAKES OF RECORDINGS.

31. Should a remake be necessary owing to the mistake of any member of the cast, the remake shall be made by the cast without charge provided that no longer interval occurs than is necessary for a replay of the disc, for which time the cast shall remain in attendance.

If the necessity for a remake owing to such mistake is not discovered until later than as aforesaid the cast shall perform the remake at half rates, and if the remake is necessary owing to any technical fault or to any mistake other than that of one of its members, the cast shall be paid as for a new recording.

In the event of a power cut interrupting the work for which the artist has been called, such artist shall be paid at the rate of 12s. 6d. for each hour or part thereof already worked.

PERFORMANCES BY MEMBERS OF STAFF.

32. Where a member of the management's staff, other than an actor, or actress, is called upon to perform any duty within the scope of this Determination he shall be paid a sum not less than that payable under this Determination for the particular duty so performed, except where such member receives a staff salary or wages greater than the minimum weekly pay herein prescribed for an actor or actress. Provided that when process discs are being recorded he shall be paid the sum as prescribed in clause 24 in addition to his ordinary salary or wages.

BROADCASTS OR RECORDING IN THE PRESENCE OF AN AUDIENCE.

33. Where a broadcast or a recording is made before an audience, members generally of which have paid for admission, each employee taking part in such broadcast or recording shall be paid the additional sum of one quarter ($\frac{1}{4}$) the rate to which he is otherwise entitled, but this shall not apply to community singing advertised and/or announced as such, or to performances of which 50 per cent. at least of the proceeds is donated to charity.

MAKE-UP.

34. (a) Make-up in excess of that normally provided by an actor, or actress, shall be provided at the expense of the management and all dress other than that usually and ordinarily worn by the employee (i.e., such dress as would be worn to and from the place of employment) shall be provided by the management in a clean and fresh condition. The employee shall nevertheless, if so required by the management, provide one dinner dress in a reasonably good condition.

(b) Any cleaning or laundering made necessary by such make-up or by "Business" occasioned for the management's benefit shall be at its expense, but cleaning or laundering which in the ordinary course of events is necessary is excluded from this rule.

LATE ARRIVALS.

35. If an employee is late for a call, the burden shall be borne by the cast. If a producer or any person other than one of the actors, or actresses, delays the rehearsal or recording the burden shall be borne by the management.

CANCELLED CALLS.

36. Should a call be cancelled within twelve (12) hours of the time of such call for any reason other than the non-attendance of an employee the call shall be paid for in full.

MEAL BREAKS.

37. One hour shall be allowed for lunch between 12 o'clock noon and 2 p.m. and one hour for dinner between 5 p.m. and 7 p.m. or at a time to be agreed upon. Should the cast require a "break" for morning or afternoon tea, the time thus occupied shall not be counted as in the time of employment.

PHOTOGRAPH CALLS.

38. All photograph and publicity calls shall be paid for at rehearsal rates.

TIME SHEETS.

39. Every employee shall sign a time sheet provided by the management whereon shall be shown the time occupied, number of records, and footage of films. A copy of this time sheet, together with pay sheets, shall be open for inspection by Actors' Equity representatives if required for checking purposes.

NOTICE BOARD.

40. The management shall provide and place in a position a suitable and easy of access notice board for the display of announcements and notices, and on which the Actors' Equity shall have the right to place relevant notices.

ACCESS.

41. Actors' Equity officials, provided they are duly authorized in writing, shall have access to broadcasting or recording premises for the purpose of interviewing members, when off duty, on union matters, the place of the interview to be arranged between the Actors' Equity and the management, and to be reasonably suitable for the purpose.

ACTORS' EQUITY MEMBERSHIP.

42. No objection shall be taken to nor shall any discrimination be exercised against any employee because of Equity membership or activity.

ONE EMPLOYEE—ONE PART.

43. A broadcast or recording shall be taken as the performance by an employee of one part or character only. In the event of an employee being required to perform more than one part or character he shall be paid an additional sum of one quarter ($\frac{1}{4}$) the prescribed amount, but only if and when the additional part or parts consists of more than 25 words in the aggregate.

SOUND EFFECTS.

44. Should an actor be required to produce sound effects not incidental to his particular part in the broadcasting or recording he shall be paid an additional sum of one quarter ($\frac{1}{4}$) the prescribed amount.

TRAVELLING.

45. First class return fares and reserved seats, wherever obtainable, shall be provided by the management for all employees who may be required to travel in the management's interests. When such travel involves any employee spending the night in the train he shall be provided with a sleeping berth at the expense of the management wherever such berth is procurable, and where not procurable the employee shall be paid the sum usually charged to the public by the Railway Commissioners.

PRODUCERS AND ASSISTANT PRODUCERS.

46. These shall be paid at not less than actors' rates.

STAR ARTISTS.

47. Where an artist is announced as "starred" in any broadcast or recording he shall be paid an additional sum of not less than one quarter ($\frac{1}{4}$) the prescribed rate.

PAYMENT OF WAGES.

48. Casual employees shall be paid within 24 hours after the termination of their work. Weekly employees shall be paid weekly and not later than Friday of each week.

RATES FOR CHILDREN.

49. Children shall be paid at one half ($\frac{1}{2}$) the rates specified in clauses 24 to 26 inclusive.

DETENTION.

50. If a female employee is detained by the employer beyond the hour of 11.30 p.m. the employer shall provide for her proper conveyance to her home whether temporary or permanent. This provision shall apply also to a male employee who is so detained after the hour of midnight.

BROADCAST OF RELIGIOUS SERVICES.

51. Nothing in this Determination shall apply to the broadcasting of religious services.

DEFINITIONS.

52. "Actor" or "Actress" means a person who, having previously so appeared three times within any period of twelve months, appears in any broadcast or recording in which he is required to speak in the aggregate more than five words, or to sing by himself during any such broadcast or recording, or to perform any speciality.

"Casual Employee" means an employee engaged otherwise than as a weekly employee.

"Child" or "Children" means a person or persons under the age of sixteen years.

"Legitimate" or "Straight Presentation" means tragedy, drama, comedy drama, drama, farce comedy, cavalcade of events presented in play form, presentation of events past, present, and future (actual or fictional) presented in play form in which the instrumental music used is only incidental to the presentation for theme, bridge, or link, or to heighten the dramatic value or create atmosphere, and any other presentation other than musical presentation.

"Musical Presentation" means grand opera, opera bouffe, light opera, musical comedy farce, vaudeville, revue, minstrel show, pantomime, or any other presentation in which the dialogue is interspersed with either vocal solos, duets, trios, quartettes, quintettes, octettes, or chorus.

"Time and a half" used in relation to pay means at the rate of one and a half ($1\frac{1}{2}$) times the actual pay of the employee in question, and calculated *pro rata* for the time for which the payment is to be made.

"Weekly Employee" means an employee engaged on a weekly basis and for a minimum period of eight consecutive weeks.

ANNUAL HOLIDAY.

53. 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.

PERIODICAL ADJUSTMENT OF WAGES.

54. The wages rates for weekly employees in clauses 26, 27, and 28 are based upon the following basic wage, and pursuant to and in accordance with 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 in clause 55.

Basic Wage.

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

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in August, 1954, the amount of the basic wage shall be as prescribed in clause 54.

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

CASUAL EMPLOYEES.

56. The wages rates for casual employees in Part II. shall be adjusted from time to time according to variations in the basic wage prescribed in clause 54. The method of adjustment shall be as follows:—

"Using the wages rates prescribed in the Determination which came into force on the 1st March, 1951, and the contemporaneous basic wage of £8 10s. as a base, and adding or subtracting to or from the said wages rates, as the case may be, an amount of 1/20th of one shilling for each variation of one shilling in the said basic wage. The calculation is to be made to the nearest 3d. half or less than half of 3d. in a result to be disregarded."

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

J. W. RYAN, Secretary.

Melbourne, 26th May, 1954.

By Authority: W. M. HOUSTON, Government Printer, Melbourne.

