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[1955

Labour and Industry Act 1953.

DETERMINATION OF THE RADIO BOARD.

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

IN accordance with the provisions of the *Labour and Industry Act 1953*, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of manufacturing, assembling or maintaining radio appliances, parts or accessories (other than batteries), but not including persons subject to the jurisdiction of any Wages Board heretofore appointed," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 13th December, 1954, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. WAGES PER WEEK OF 40 HOURS.

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.
	£ s. d.	£ s. d.	£ s. d.
Radio serviceman	15 2 6	15 9 0	14 19 6
Radio repairer (Factory)	13 11 6	13 18 0	13 8 6
Radio wirer, i.e., employee wiring a complete set from a circuit diagram or model other than on production line	12 19 0	13 5 6	12 16 0
Power tube operative—			
1st six months' experience	12 19 0	13 5 6	12 16 0
Thereafter	13 9 0	13 15 6	13 6 0
Tradesman (radio)	15 9 0	15 15 6	15 6 0
Radio tester	14 9 0	14 15 6	14 6 0
Final tester and fault finder	15 2 6	15 9 0	14 19 6
Process worker	12 16 0	13 2 6	12 13 0
Other employees with not less than three months' experience in this industry	12 3 0	12 9 6	12 0 0
All others	11 17 0	12 3 6	11 14 0

Radio servicemen who in the service of their employers use their own motor vehicles shall be paid an additional allowance as follows:—

	Per Week
	£ s. d.
Motor car	5 0 0

LEADING HANDS.

Leading hands in charge of not less than three and not more than ten employees, 15s. per week extra; more than ten and not more than twenty employees, 30s. per week extra; more than 20 employees, 45s. per week extra.

FEMALE AND UNAPPRENTICED JUNIOR LABOUR.

3. (a) Subject to the exceptions hereinafter provided, the minimum rates of wages for adult and junior females and for unapprenticed male juniors 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 15 6	9 0 6	8 13 0
All others ..	75	16 0	9 11 6	9 16 6	9 9 0
When employed in a classification for which the corresponding margin in clause 23 of the Determination published in Government Gazette No. 191 of the 6th April, 1954, exceeded 28s. per week, but did not exceed 40s. per week—75 per centum of the margin now prescribed for that classification in clause 23 hereof in lieu of the 16s. herein prescribed.					
<i>Additional Amount.</i>					
<i>II.—Junior Females.</i>					
17 years of age and under ..	52	3 6	4 15 0	4 17 6	4 13 6
18 years of age ..	62	4 0	5 13 0	5 16 0	5 11 6
19 years of age ..	72	4 6	6 11 0	6 14 6	6 9 0
20 years of age ..	82	5 0	7 9 0	7 13 0	7 7 0
<i>III.—Junior Males.</i>					
Under 16 years of age ..	24	2 0	2 18 0	2 19 6	2 17 6
16 years of age ..	34	3 0	4 2 6	4 5 0	4 1 6
17 years of age ..	46	4 0	5 11 6	5 14 6	5 10 6
18 years of age ..	58	5 0	7 0 6	7 4 6	6 19 0
19 years of age ..	73	6 0	8 17 0	9 1 6	8 14 6
20 years of age ..	88	7 0	10 13 0	10 18 6	10 10 6

* 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.

(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.

SPECIAL RATES.

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

Cold Places.

(a) 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.

Dirty Work.

(b) Work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 4d. 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 in 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.

(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, 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.

Ships Loading Bulk Wheat.

(d) 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.

Wet Places.

(e) 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.

(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, 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.

5. (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 5s. for each meal taken.

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

(g) A camping allowance of 8s. 0d. 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.

6. (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-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.

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.

EMERGENCY PROVISIONS.

6A. (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 working on afternoon and night shifts 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 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.

SHIFT WORK.

Definitions.

7. (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 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 4 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 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 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.

(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 10. 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.

8. 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.

9. (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 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-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 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 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 either be supplied with a meal by the employer or paid 5s. and 3s. 4d. 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.

10. (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 15 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 (h) of clause 7 an employee not engaged on continuous work shall be paid at the rate of double time for work done on Sunday 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:

Provided that where employees are necessarily engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day (not including the installation of new machinery) work done on holidays shall be paid for at the rate of time and a half for the first eight hours and double time thereafter.

(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 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 employer 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.

EXTRA RATES NOT CUMULATIVE.

11. Extra rates in this Determination, except rates prescribed in clause 4 are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

12. (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.

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. 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.

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 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 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 and 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.

ANNUAL LEAVE.*Period of Leave.*

15. (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 10 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 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 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 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 10 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 and 3, 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 $6\frac{1}{2}$ 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.

16. (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 work shop 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.

Regulations require 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 employees' duties.

Gloves.

(iii) 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 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 employers 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 Equipment—Welding.

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

- Suitable asbestos sheets.
- Hand screens or helmets fitted with coloured glass (or, in the case of oxy-acetylene operators, protective glasses with side shields).
- Anti-flash goggles.
- Aprons, leather sleeves and leggings (or coveralls of flame-proof material) and gauntlet gloves; and
- 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.

(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. 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) 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.

17. 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.

18. (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 the 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 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.

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.

19. (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.

20. 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.*

21. "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.

"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 process—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.

"Power tube operative" means an adult male employee engaged in assembling or glass operations in the making of electronic or thermionic power tubes, where the work is not reduced to process operations.

"Tradesman (radio)" means an adult male employee engaged on radio work which requires the application of general trade experience gained through apprenticeship or equivalent training in that work, but does not include an employee engaged solely as a radio tester or final tester and fault finder.

"Radio tester" means an employee other than a process worker engaged on the alignment of circuits and testing in the mass production of domestic radio including the locating and rectifying of faults not requiring the skill of a final tester and fault finder or tradesman.

"Final tester and fault finder" means an employee who in addition to the work of a radio tester is called upon to final test (other than a listening test) and/or find and specify the remedy of faults in the production of domestic radio.

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

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

PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rates set out in clause 2 are based upon the following basic wage rates and, pursuant to the provisions of section 33 of the *Labour and Industry Act* 1953, 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 23.

Basic Wage.

Place.	Adult Males. Basic Wage (Adjustable).	Index Number Set Assigned.
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	£ s. d. 11 14 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.

23. (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, 1955, the amount of the basic wage shall be as prescribed in clause 22.

(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.

In addition to the basic wage provided in clause 22 the margins set out in this clause shall be the minimum rate payable to employees therein named:—

	Margin Per Week.
	s. d.
Radio serviceman	68 6
Radio repairer	37 6
Radio wireman	25 0
Power tube operative—	
First six months' experience	25 0
Thereafter	35 0
Tradesman (radio)	75 0
Radio tester	55 0
Final tester and fault finder	68 6
Process worker	22 0
Other employees with not less than three months' experience in this industry	9 0
All others	3 0

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

J. W. RYAN, Secretary.

Melbourne, 1st December, 1954.



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, JANUARY 21.

[1955

Labour and Industry Act 1953.

DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 33 OF THE LABOUR AND INDUSTRY ACT 1953.

I, Henry Norman Jones, Secretary for Labour and Industry, in pursuance of the powers conferred by the Labour and Industry Act, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in November, 1954.

Dated at Melbourne, this

21st day of January, 1955.

H. N. JONES,

Secretary for Labour and Industry.

SHOPS BOARD No. 9 (DRAPERS AND MEN'S CLOTHING).

Clause 2 of the Determination made on the 27th August, 1954, and in force on the 1st September, 1954, shall be replaced by the following clause:—

2.

Apprentices or Improvers.					Other Employees.		
Wages per Week of 40 Hours.					Wages per Week of 40 Hours.		
Age.	Females Employed in Dress, Manchester, Drapery Furnishings, Prints, Silks, or Men's Clothing Departments, and All Males.		Other Females.			Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
	Percentage of Basic Wage.		Percentage of Female Basic Wage.			s. d.	s. d.
Under 15 years of age	40	93 6	48	84 0	Manager (other than department manager), i.e., a person entrusted with the control or superintendence of a shop, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of the said shop	291 6	288 6
At 15 years of age ..	42	98 6	51	89 6	Department manager, i.e., a person in control of three or more salesmen or saleswomen 21 years of age or over, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department	281 6	278 6
At 16 years of age ..	48	112 6	55	96 6	Person in charge of an order tailoring establishment	285 6	282 6
At 17 years of age ..	63	147 6	62	109 0			
At 18 years of age ..	80	187 0	73	128 0			
At 19 years of age ..	97	227 0	83	145 6			
At 20 years of age ..	100 + 15s.	249 0	97	170 0			

Apprentices or Improvers.	Other Employees.		
	*Wages per Week of 40 Hours.		
		Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
PROPORTION (in any Shop or Place).	Males.	s. d.	s. d.
APPRENTICES.	Pattern-men, assemblers, or salesmen	271 0	268 0
	Canvassers, who are in any way connected with the sale of goods	274 0	271 0
	Collectors who, in addition to their duties of collecting, are in any way connected with the sale of goods	274 0	271 0
<i>Males.</i>	Foreman packer or storeman, i.e., a person in control of four or more packers or storemen, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department	270 6	267 6
	Packers or storemen	266 0	263 0
	Porters	258 0	255 0
	All others	271 0	268 0
<i>Females.</i>	<i>Females.</i>		
One female apprentice to every three or fraction of three male workers receiving not less than 268s. per week of 40 hours.	Manageress (other than department manageress)— (a) A person (other than a person provided for under (b) hereof) entrusted with the control or superintendence of a shop stocking dress or Manchester goods, drapery furnishing, prints, silks, men's clothing, or female wearing apparel, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of the said shop	285 6	282 6
	(b) A person working singly or in control of not more than three salesmen or saleswomen entrusted with the control or superintendence of a shop stocking female wearing apparel, notwithstanding she may be under the orders of a superior who does not devote his or her whole time to the management of the said shop	223 6	220 6
One female apprentice to every three or fraction of three female workers receiving not less than 188s. per week of 40 hours.	Department or section manageress— (a) in control of three or more salesmen or saleswomen 21 years of age or over, in dress, Manchester, drapery furnishing, prints, silks, or men's clothing, departments, or section thereof, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department or section thereof	277 0	274 0
An indenture of apprenticeship prescribed by the Board was approved on 25th January, 1924.	(b) In control of three or more saleswomen 21 years of age or over in any other department, or section thereof notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department or section thereof	211 0	208 0
	Saleswomen selling goods usually sold in dress, Manchester, drapery furnishing, prints, silk, or men's clothing departments	271 0	268 0
	Other saleswomen or pattern women; or assemblers	191 0	188 0
	Packers	234 0	231 0
	Canvassers who are in any way connected with the sale of goods	191 0	188 0
	Porters	234 0	231 0
	All others	191 0	188 0
<i>IMPROVERS.</i>			
One male improver to every male person receiving not less than 268s. per week of 40 hours.			
Two female improvers, to one female person			
Four female improvers to two female persons, and thereafter—			
One female improver to each additional female person			
Provided that two improvers may be permitted where a shop is operated by a male proprietor or manager as the only senior.			
Provided further that one female improver in lieu of one male improver or one male improver in lieu of one female improver may be employed.			

Clauses, other than clause 2, of the said Determination shall remain in force.



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, JANUARY 21.

[1955

Labour and Industry Act 1953.

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 *Labour and Industry Act 1953*, 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 15th November, 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)	14 17 0
(ii) Actress (18 years of age and over)	13 17 0
(iii) Male engaged in the chorus or ballet (18 years of age and over)	13 2 0
(iv) Female engaged in the chorus or ballet (18 years of age and over)	11 17 0
(v) Showgirl, model or mannequin (18 years of age and over)	11 17 0
(b) <i>Skaters.</i> —	
(i) Solo, Duo, or Speciality skater, Male (18 years of age and over)	16 7 0
(ii) Solo, Duo or Speciality skater, Female (18 years of age and over)	15 16 0
(iii) Male engaged only in a skating ensemble (18 years of age and over)	14 17 0
(iv) Female engaged only in a skating ensemble (18 years of age and over)	13 17 0
(c) <i>Square Dance Team Members.</i> —	
(i) Male (18 years of age and over)	12 12 0
(ii) Female (18 years of age and over)	11 7 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 2 0
On tour	14 17 0
(ii) Female (18 years of age and over)	
Not on tour	12 3 0
On tour	13 17 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	13	6
14 years of age and under 16 years of age	3	8	6
16 years of age (not on tour) and under 18 years	4	8	6
16 years of age (on tour) and under 18 years	6	8	6

(ii) *Female.*—

	£	s.	d.
Under 14 years of age and not under sub-paragraph (iii) of this paragraph	2	13	6
14 years of age and under 16 years of age	3	8	6
16 years of age and under 18 years (not on tour)	4	8	6
16 years of age and under 18 years (on tour)	6	19	6

- (iii) Children under 14 years of age who are engaged in Pantomime and who do not appear in night performances shall be paid £1 8s. 6d. per week for six performances or £2 1s. 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.*—

	£ s. d.
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.

(A) 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 *Labour and Industry Act 1953*, 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 *Labour and Industry Act 1953*, 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.
Throughout the State	£ s. d. 11 14 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, 1955, 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 1.03 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

(d) The 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

	£	s.	d.
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
"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 <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	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 14 17 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 employed in recording commercial announcements shall be paid on the following basis:—

	£	s.	d.
25 word announcements	3	3	0
If more than 16 tracks are recorded the artist is to be paid 5s. 3d. per track and continue at 5s. 3d. per track up to 24 tracks if such 24 are made within a one and a quarter hour period.			
If tracks are recorded within the period of one hour, and extra tracks are required, the extra rate minimum will be £1 11s. 6d. for first quarter hour, and if the quarter hour is exceeded, minimum	3	3	0
50 word announcements	3	3	0
If more than 8 tracks are recorded, the artist is to be paid 5s. 3d. per track and continue at 5s. 3d. per track up to 16 tracks, if the 16 tracks are recorded within a one and a quarter hour period. If 16 tracks are recorded within the period of one hour, and extra tracks are required, the extra rate minimum will be £1 11s. 6d. for the first quarter hour and if the quarter hour is exceeded, minimum	3	3	0
100 word or one minute announcements	3	3	0
If more than 7 tracks are recorded, the artist is to be paid at 7s. per track up to 12 tracks, if the 12 tracks are recorded within a one and a quarter hour period. If tracks are recorded within the period of one hour, and extra tracks are required, the extra rate minimum will be £1 11s. 6d. for the first quarter hour and if the quarter hour is exceeded, minimum	3	3	0
Provided that in such cases where the recorded commercial announcements are mixed, i.e., in more than one of the above categories, the rate for all work done by the artist shall be based on the category which provides for the greater or greatest number of words per track.			

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 <i>pro rata</i> 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 <i>pro rata</i> 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—

These employees whether actors, actresses, or radio artists, shall for a week's work be paid	£	s.	d.
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.	14	17	0

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.

STAB 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 specialty.

"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 *Labour and Industry Act 1953*, 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 33 of the *Labour and Industry Act 1953*, 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.
Throughout the State	£ s. d. 11 14 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 February, 1955, 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 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 $\cdot 103$ 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 $\cdot 5$ 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 $1/20$ th 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, 8th November, 1954.



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, JANUARY 21.

[1955

Labour and Industry Act 1953.

DETERMINATION OF THE CYCLE TRADE BOARD.

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

(b) RE APPRENTICES OR IMPROVERS.—On the 5th March, 1930, the trade of motor cycle mechanic was proclaimed an Apprenticeship Trade under the Apprenticeship Act 1927, and, so far as the Metropolitan District is concerned, the provisions of that Act and the Regulations thereunder determine the conditions of employment of apprentices indentured after 5th March, 1930, and of improvers permitted to enter the trade after 20th November, 1929.

Particulars of such Regulations may be obtained on application to the Secretary, Apprenticeship Commission, Melbourne. Price, 3d.

IN accordance with the provisions of the Labour and Industry Act 1953, the Wages Board which, since 15th November, 1937, had had the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons whosoever employed in any process, trade, or business connected with or incidental to—

(a) the making or repairing of bicycles, tricycles, or motor cycles; or

(b) the making or repairing of any part or parts (other than tyres or engines) of a bicycle, tricycle, or motor cycle, but not including any process, trade or business subject to the Determination of any Wages Board heretofore appointed," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 13th December, 1954, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(a) *Apprentices.				(b) *Improvers.			
		Percentage of Basic Wage.	Weekly Wages.			Percentage of Basic Wage.	Weekly Wages.
			s. d.				s. d.
1st year	26	61 0	1st year	25	58 6
2nd year	32	75 0	2nd year	31	72 6
3rd year	51	119 6	3rd year	50	117 0
4th year	75	175 6	4th year	72	168 6
5th year	99	231 6	5th year	97	227 0

And thereafter, until attaining the age of 21 years, four-fifths of the journeyman's rate.

PROPORTION (IN ANY PLACE).

One apprentice to every three or fraction of three persons receiving not less than 253s. per week.

And thereafter four-fifths of the journeyman's rate.

Provided that any improver who commences at the trade after attaining the age of 17 years shall be paid 20 per cent. in addition to the above rates.

PROPORTION (IN ANY PLACE).

One improver to one person receiving not less than 253s. per week, two improvers to two or three such persons, thereafter two additional improvers to every three additional such persons.

* Except those covered by the Apprenticeship Act.

(c) Other Employees.

	Weekly Wages, Day Shift.
	s. d.
Foremen, where over five adults are employed	312 6
Foremen, where five adults or fewer are employed	307 0
Lathe hands	309 0
Builders and repairers of motor cycle frames and frames other than cycle frames	284 6
Builders or repairers or brazers of cycle frames	279 0
Other repairers of motor cycles (except lathe hands)	284 6
Other repairers (except lathe hands)	279 0
Assemblers of motor cycles	279 0
Other assemblers	267 6
Filers on motor and other cycles	267 6
Wheel-builders on motor and other cycles	267 6
Foremen in rim-making	290 0
All others employed in rim-making	267 6
Persons cleaning off joints by sand-blasting or by shot-blasting	267 6
Handle-bar benders—	
By the mandrel method	259 0
By any other method	267 6
Persons not provided for otherwise	253 0

ORDINARY WEEK'S WORK.

3. The number of hours which shall constitute an ordinary week's work shall be 40. Provided that, in any place where the principal work carried on is incidental to and directly connected with the employer's retail business not more than two persons may be employed for a maximum of 46 hours per week without payment of overtime rates.

SPECIAL RATES.

Dirty Work.

4. (a) Work which a foreman and workman shall agree is of an unusually dirty or offensive nature—4d. 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.

Rate not Subject to Penalty Additions.

(b) The special rate 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.

HOURS OF WORK.

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.

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

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

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 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-days' Week.

(Other than in Retail Shops.)

(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-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

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 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 continued in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers working on afternoon and night shifts 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; 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.

6. (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 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.
- (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 Shift Allowances.

(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.

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 9 (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.

Compulsory Overtime

(h) 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.

(i) 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 and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

When 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.

(j) 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.

OVERTIME.

7. (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-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 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 5s. and 3s. 4d. 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.

SPECIAL RATE FOR SUNDAYS AND PUBLIC HOLIDAYS.

8. (a) Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour 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 above-named holidays the special rate shall be payable only for work done on the day so substituted.

Any employer who has given to his employees notice under paragraph (i) of sub-clause (m) of clause 11 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.

(b) 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.

CONTRACT OF EMPLOYMENT.*Weekly Employment.*

9. (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 employee 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 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 overtime.

SICK LEAVE.

10. (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) Notwithstanding the provisions of sub-clause (a) hereof 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 HOLIDAY.

11. The annual holiday shall be as prescribed by the provisions of the *Labour and Industry Act 1953*, and any amendments which may be made thereto from time to time.

WORK GIVEN OUT.

12. (a) For the purposes of this Determination, every person or body of persons who issues, gives out, or authorizes or permits to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured by any process or processes subject to the jurisdiction of this Board, notwithstanding the fact that the person to whom the material is issued or given out supplies additional material, shall be deemed to be the employer of the person to whom such material is issued or given out.

(b) Every employer within the meaning of this clause shall keep a record book, which shall contain a correct account written in ink as follows:—

- (i) The name and full address of the person to whom material is issued or given out;
- (ii) The number of articles and description of work issued or given out;
- (iii) The time spent in carrying out and the price paid for such work;
- (iv) The record book shall be signed each week by each person to whom material is issued or given out, verifying the accuracy of the amount of wages received.

(c) The record book mentioned in the preceding sub-clause shall be open for inspection at any time by any authorized officer of the Department of Labour and Industry.

SUPPLY OF MILK.

13. Any person engaged for the greater part of his day's work at cleaning off joints by any method other than filing, shall be supplied free of charge by the employer with one pint of milk each day he is so engaged.

MISCELLANEOUS PROVISIONS.

14. (a) *Tools*.—The employer shall provide for each employee all necessary tools.

(b) *Sanitation, &c.*—The employer shall provide proper washing and sanitary conveniences. In any workshop in which employees, through a shop steward, or committee, ask for the provision of lockers, and an undertaking is given that the lockers will be properly cared for, a locker shall be installed by the employer for each workman.

(c) *Protective Apparatus*.—Suitable asbestos sheets and coloured glasses shall be provided by the employer for the protection of electric-arc and oxy-acetylene operators and their assistants, and suitable mica or other goggles for emery-wheel operators.

DEFINITIONS.

15. (a) "Afternoon shift" shall mean any shift finishing after 6 p.m., but not later than midnight.

(b) "Night shift" shall mean any shift finishing later than midnight, but not later than 8 a.m.

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

PERIODICAL ADJUSTMENT OF WAGES.

16. The wages rates set out in clause 2 (c) are based upon the following basic wage rates, and, pursuant to the provisions of Section 33 of the *Labour and Industry Act 1953*, 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 17.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Victoria	11 14 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

17. (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, 1955, the amount of the basic wage shall be as prescribed in clause 16.

(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.

ADJUSTMENT OF WAGES FOR APPRENTICES AND IMPROVERS.

The wages of apprentices and improvers shall be the appropriate percentages set out in clause 2, such wages shall be calculated to the nearest 8d., half or less than half of 6d. to be disregarded.

MARGINAL RATES.

19. In addition to the basic wage provided in clause 16, the margins set out in this clause shall be the minimum rate payable to employees therein named:—

Classification.	Margin per Week.
	s. d.
Foremen, where over five adults are employed	78 6
Foremen, where five adults or fewer are employed	73 0
Lathe hands	75 0
Builders and repairers of motor cycle frames and frames other than cycle frames	50 6
Builders or repairers or brazers of cycle frames	45 0
Other repairers of motor cycles (except lathe hands)	50 6
Other repairers (except lathe hands)	45 0
Assemblers of motor cycles	45 0
Other assemblers	33 6
Filers on motor and other cycles	33 6
Wheel-builders on motor and other cycles	33 6
Foremen in rim-making	56 0
All others employed in rim-making	33 6
Persons cleaning off joints by sand-blasting or by shot-blasting	33 6
Handle-bar benders—	
By the mandrel method	25 0
By any other method	33 6
Persons not provided for otherwise	19 0

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

J. W. RYAN, Secretary.

Melbourne, 14th December, 1954.

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

