



# VICTORIA GOVERNMENT GAZETTE.

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*Labour and Industry Act 1953.*

## DETERMINATION OF THE AGRICULTURAL IMPLEMENTS BOARD.

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

By Order in Council, dated the 13th October, 1941, the Country Agricultural Implements Board was deprived of its powers and such powers were conferred exclusively on the Agricultural Implements Board.

IN accordance with the provisions of the *Labour and Industry Act 1953*, the Wages Board which has the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in—

(1) the process, trade, or business of a maker of—

(a) agricultural machinery or implements;

(b) parts of agricultural machinery or implements;

(c) bag-filling machinery, bone-crushers, butter-making machinery, chaff-cutters, corn-crushing machinery, cream separators, hay presses, horse works, iron feeding troughs, lawn mowers, machinery for treating flax or hemp, maize shellers, windmills; or

(d) garden tools or implements or parts thereof;

(2) assembling or putting together any parts of machinery or implements of classes or kinds (whether the same have been made inside or outside the State) same or similar to those mentioned in paragraph (a); "

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.	
	Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; or at Warrambool; and within Mildura and Gippsland Districts.	All Other Parts of Victoria.
	£ s. d.	£ s. d.
<b>DIVISION I.—AGRICULTURAL IMPLEMENT SECTION.</b>		
<i>(a) Assembly, Fitting, and Process Working.</i>		
Assembler .. .. .	12 19 0	12 16 0
Assembler after two years' experience .. .. .	13 9 0	13 6 0
Carpenter on agricultural implement making (including tool allowance) .. .. .	14 11 6	14 8 6
Dismantler .. .. .	12 17 0	12 14 0
Implement and/or comb fitter .. .. .	13 19 0	13 16 0
Implement and/or comb fitter after two years' experience .. .. .	14 4 0	14 1 0
Pattern fitter and finisher .. .. .	14 4 0	14 1 0
Plate pattern fitter and finisher .. .. .	15 9 0	15 6 0
Plate pattern fitter and finisher (doing own machining) .. .. .	15 9 0	15 6 0
Plough fitter .. .. .	13 14 0	13 11 0
Process worker .. .. .	12 16 0	12 13 0
Wheel rimmer .. .. .	13 19 0	13 16 0
Windmill erector .. .. .	13 19 0	13 16 0
Windmill maker other than fitter .. .. .	13 16 6	13 13 6
<i>(b) Blacksmithing, &amp;c.</i>		
Blacksmith's striker .. .. .	12 17 0	12 14 0
Blacksmith's striker on double fires .. .. .	13 1 6	12 18 6
Bulldozer operator .. .. .	13 11 6	13 8 6
Hammer driver .. .. .	13 1 6	12 18 6
Heater .. .. .	12 17 0	12 14 0
Implement smith of five years' experience able to do all classes of implement work .. .. .	14 11 6	14 8 6
Other smith (including iron bender) .. .. .	14 4 0	14 1 0

	Wages per Week of 40 Hours.	
	Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; or at Warrnambool; and within Mildura and Gippeland Districts.	All Other Parts of Victoria.
	£ s. d.	£ s. d.
<b>DIVISION I.—AGRICULTURAL IMPLEMENT SECTION—continued.</b>		
<i>(c) Dressing, Grinding, and Pickling.</i>		
Chipper .. .. .	12 17 0	12 14 0
Dresser and fettler .. .. .	13 1 6	12 18 6
Emery-wheel attendant .. .. .	13 1 6	12 18 6
Grinder .. .. .	13 1 6	12 18 6
Grinder using portable machine .. .. .	13 6 6	13 3 6
Pickler .. .. .	12 14 0	12 11 0
Shot and sand blast dresser .. .. .	13 6 6	13 3 6
<i>(d) Furnacemen.</i>		
Cupola .. .. .	13 19 0	13 16 0
Electric .. .. .	13 16 6	13 13 6
All other furnaces (not including small rivet or bolt heating) .. .. .	13 11 6	13 8 6
Small rivet or bolt heating .. .. .	13 1 6	12 18 6
Assistant .. .. .	12 17 0	12 14 0
<i>(e) Foundry.</i>		
Jobbing moulder and/or coremaker .. .. .	15 9 0	15 6 0
Loose pattern moulder .. .. .	14 11 6	14 8 6
Plate and machine moulder and/or coremaker .. .. .	13 11 6	13 8 6
Cupola furnaceman .. .. .	13 19 0	13 16 0
Electric furnaceman .. .. .	13 16 6	13 13 6
All other furnacemen .. .. .	13 11 6	13 8 6
Assistant furnaceman .. .. .	13 2 0	12 19 0
Dressers and fettlers .. .. .	13 4 0	13 1 0
Grinders .. .. .	13 4 0	13 1 0
Grinders using portable machine .. .. .	13 6 6	13 3 6
Shot and sand blast dressers .. .. .	13 6 6	13 3 6
<i>(f) Inspection, &amp;c.</i>		
Checker .. .. .	13 1 6	12 18 6
Inspector .. .. .	13 1 6	12 18 6
<i>(g) Machinists.</i>		
1st class .. .. .	15 9 0	15 6 0
2nd class .. .. .	14 4 0	14 1 0
3rd class .. .. .	13 9 0	13 6 0
Driller .. .. .	13 1 6	12 18 6
Process worker .. .. .	12 16 0	12 13 0
<i>(h) Painting, &amp;c.</i>		
Dipper .. .. .	12 14 0	12 11 0
Painter (brush hand) .. .. .	12 17 0	12 14 0
Paint mixer .. .. .	12 14 0	12 11 0
Spray painter .. .. .	12 19 0	12 16 0
Writer and liner .. .. .	13 19 0	13 18 0
<i>(i) Sheet Metal.</i>		
Sheet Metal Workers—1st class .. .. .	15 9 0	15 6 0
Sheet Metal Workers—2nd class .. .. .	14 4 0	14 1 0
<i>(j) Stores.</i>		
Attendant at casting stores .. .. .	12 14 0	12 11 0
Stereman and/or packer .. .. .	12 17 0	12 14 0
<i>(k) Welders.</i>		
1st class .. .. .	15 16 6	15 13 6
2nd class .. .. .	13 9 0	13 6 0
3rd class .. .. .	12 19 0	12 16 0
Tack welder .. .. .	13 4 0	13 1 0
<i>(l) Wire Workers.</i>		
Wire drawer .. .. .	12 17 0	12 14 0
Wire weaver .. .. .	12 17 0	12 14 0
<b>DIVISION II.—ELECTRICAL.</b>		
Electrical mechanic .. .. .	15 9 0	15 6 0
Shift electrician .. .. .	15 9 0	15 6 0
Tradesman, electrical fitter .. .. .	15 9 0	15 6 0
Tradesman's and electrical mechanic's assistant .. .. .	12 17 0	12 14 0
<b>DIVISION III.—ENGINEERING.</b>		
Electrical fitter .. .. .	15 9 0	15 6 0
Machinist—1st class .. .. .	15 9 0	15 6 0
Machinist—2nd class .. .. .	14 4 0	14 1 0
Machinist—3rd class .. .. .	13 9 0	13 6 0
Motor mechanic .. .. .	15 9 0	15 6 0
Patternmaker .. .. .	16 11 6	16 8 6
Toolmaker .. .. .	16 4 0	16 1 0
Tradesman .. .. .	15 9 0	15 6 0
Tradesman, the greater part of whose time is occupied in marking off .. .. .	15 16 6	15 13 6
Tradesman, wet stone grinder and glazier .. .. .	15 9 0	15 6 0

	Wages per Week of 40 Hours.	
	Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; or at Warrnambool; and within Mildura and Gippsland Districts.	All Other Parts of Victoria.
	£ s. d.	£ s. d.
<b>DIVISION IV.—ENGINEERING SMITHING.</b>		
Coppersmith .. .. .	15 11 6	15 8 6
Forger and/or faggoter .. .. .	16 19 0	16 16 0
Forgeman's assistant .. .. .	13 1 6	12 18 6
Other smith .. .. .	15 11 6	15 8 6
Toolsmith .. .. .	15 16 6	15 13 6
<b>DIVISION V.—WOOD MILL.</b>		
Band sawyer .. .. .	13 3 0	13 0 0
Bending machinist .. .. .	13 0 0	12 17 0
Boring and drilling machinist .. .. .	12 16 0	12 13 0
Buzzer machinist (only operating or feeding machines) .. .. .	12 12 0	12 9 0
Buzzer machinist (using straight irons and setting up machines and grinding knives and cutters) .. .. .	13 6 0	13 3 0
Casemaker .. .. .	13 2 0	12 19 0
Casemaking sawyer .. .. .	12 13 0	12 10 0
Circular sawyer .. .. .	13 3 0	13 0 0
Crosscut sawyer .. .. .	12 16 0	12 13 0
Morticing machinist .. .. .	12 16 0	12 13 0
Moulding machinist (where the machinists set up their machines only) .. .. .	13 4 0	13 1 0
Moulding machinist (where the machinists set up their machines and grind their knives and cutters) .. .. .	13 13 0	13 10 0
Pulling out machinist .. .. .	12 15 0	12 12 0
Sanding machinist .. .. .	13 0 0	12 17 0
Saw doctor .. .. .	14 12 0	14 9 0
Shaper machinist .. .. .	13 18 6	13 15 6
Stacker .. .. .	12 15 0	12 12 0
Tenoning machinist (only operating or feeding machines) .. .. .	12 14 0	12 11 0
Tenoning machinist (using straight irons and setting up machines and grinding knives and cutters) .. .. .	13 10 0	13 7 0
Thickneser machinist .. .. .	12 19 0	12 16 0
Turner .. .. .	13 18 6	13 15 6
<b>DIVISION VI.—MISCELLANEOUS.</b>		
Belt maker and cutter .. .. .	13 5 0	13 2 0
*Carpenter (other than agricultural implement making) .. .. .	15 9 0	15 6 0
Currier .. .. .	13 15 0	13 12 0
Other employees, not elsewhere classified with not less than three months' experience in the agricultural implement making industry .. .. .	12 3 0	12 0 0
Employee not elsewhere classified .. .. .	11 17 0	11 14 0

\* The rate payable to employees working in this classification shall be increased by a tool allowance of 5s. per week.

**SPECIAL RATES.**

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

- (a) Leading hands in charge of not less than three and not more than ten employees, including apprentices, 15s. per week extra; more than ten and not more than twenty, including apprentices, 30s. per week extra; more than twenty, including apprentices, 45s. per week extra.
- (b) Working in wet places 1½d. per hour extra.  
Working in confined spaces 3d. per hour extra.
- (c) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. When work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit employees shall also be entitled to 20 minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.
- (d) Working for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of 20 minutes every two hours without loss of pay.
- (e) Dirty work, i.e., work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.
- (f) Compensation to the extent of damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.
- (g) Except when dismissed for misconduct or when leaving of his own accord, a patternmaker employed for less than three weeks at a workshop or job shall, to the extent of 6s., be reimbursed by his employer any expense incurred in the carting of tools.
- (h) Where more than one of the disabilities entitling a workman to extra rates exist on the same job the employer shall be bound to pay only one rate, viz., the highest for the disabilities so prevailing.
- (i) To cover all circumstances of employment of an employee called upon to work away from his ordinary place of employment, starting, repairing and/or servicing agricultural implements and tractors, he shall be paid an additional 5s. per day above his classification of implement fitter and/or motor mechanic for all days necessitating living away from his ordinary residence, including Saturdays and Sundays on which work is performed.

**EMPLOYEE LEARNING HIGHER GRADE WORK.**

4. Where an employee is engaged on higher grade work at his own request for the purpose of learning such work, he shall be paid for the time he is so engaged for a period or periods not exceeding 30 days in all at his usual rate of pay prior to his being so engaged, and thereafter at the rate prescribed.

APPRENTICESHIP.

5. (a) Youths shall not be engaged in the following occupations except under indentures of apprenticeship for the periods and subject to the conditions hereinafter prescribed :—

Patternmaking, electrical fitting, engineering fitting and turning, first and second class engineering machining, first-class welding, engineering blacksmithing, jobbing moulding and/or coremaking, sheet metal (first-class bench work) motor mechanic.

(b) In the trades immediately hereinafter mentioned the proportion of apprentices which may be taken by any employer shall be as follows :—

Mechanical engineering—one apprentice for every 3, or fraction of 3, tradesmen.

Electrical fitting—one apprentice for every 3, or fraction of 3, tradesmen.

Electrical mechanic—one apprentice for every 2, or fraction of 2, tradesmen.

Patternmaking—one apprentice for every 3, or fraction of 3, tradesmen.

Smithing—one apprentice for every 3, or fraction of 3, tradesmen.

Moulding—one apprentice for every 2, or fraction of 2, tradesmen.

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

(i) The period of apprenticeship shall be as follows :—

If the apprentice when articulated is under the age of 17 years, five years; if over the age of 17 years, four or five years, at the option of the contracting parties.

(ii) An employer especially qualified to teach apprentices may, with the consent of the Secretary for Labour and Industry, or of the State Apprenticeship Commission, employ a greater proportion of apprentices to tradesmen than hereinbefore specified.

(iii) Minors may be taken on probation for three months, and, if apprenticed, such three months shall count as part of their period of apprenticeship.

(iv) Until further order, any contract of apprenticeship hereafter made may contain the following provision :—

If through lack of orders or through financial difficulties, the employer is unable at any time to find employment and training for an apprentice, and if a transfer to another employer cannot be arranged, the obligations and duties imposed by the indenture may with the concurrence of the apprentice and his guardian be suspended for a period agreed upon, or if no such agreement is arrived at, may be cancelled by the employer. The onus of proof of circumstances justifying such cancellation shall be on the employer.

This clause shall not apply to apprenticeship controlled by the State Apprenticeship Commission, but such Commission shall be free to adopt such schemes for suspension or cancellation of indentures as it may deem reasonable.

Wages per Week of 40 Hours.

(v) The minimum weekly rates of wage for apprentices shall be as follows :—

	Total Wage Payable.	
	Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; or at Warrambool; and within Mildura and Gippsland Districts.	All Other Parts of Victoria.
Four and five-year terms—	£ s. d.	£ s. d.
1st year .. .. .	3 6 6	3 5 6
2nd year .. .. .	4 12 6	4 11 0
3rd year .. .. .	6 3 0	6 1 6
4th year .. .. .	9 14 0	9 11 6
5th year .. .. .	12 0 0	11 17 0
Four-year terms—Apprenticeship commencing after the age of 17 years—		
1st year .. .. .	3 15 6	3 14 6
2nd year .. .. .	6 3 0	6 1 6
3rd year .. .. .	9 14 0	9 11 6
4th year .. .. .	12 0 0	11 17 0

The sum of 4s. per week shall be added to the above rates in the case of apprentice patternmakers.

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

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

(vi) The ordinary hours of employment of apprentices shall be the same in each workshop as those of journeymen in the trade the apprentice is learning.

(vii) No apprentice under the age of 18 years shall be liable to work overtime unless he so desires.

(viii) No apprentice shall work under any system of payment by results.

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

(x) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in the Determination for the trade, or in which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served.

(xi) No employer shall, either directly or indirectly, or by any pretence or device, receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

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

(xiii) Apprentices shall be entitled to annual leave and sick leave in accordance with the provisions of clauses 10A and 14A of this Determination respectively.

## UNAPPRENTICED MALE JUNIORS AND FEMALES.

6. (a) Subject to the exceptions hereinafter provided the minimum rates of wage for females and unapprenticed male juniors shall be as follows:—

## WAGES PER WEEK OF 40 HOURS.

	Total Wage Payable.	
	Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; or at Warrnambool; and within Mildura and Gippsland Districts.	All Other Parts of Victoria.
<i>I.—Adult Females.</i>		
Under one month's experience .. .. .	£ s. d. 8 15 6	£ s. d. 8 13 0
All others .. .. .	9 11 6	9 9 0
<i>II.—Junior Females.</i>		
17 years of age and under .. .. .	4 15 0	4 13 6
18 years of age .. .. .	5 13 0	5 11 6
19 years of age .. .. .	6 11 0	6 9 0
20 years of age .. .. .	7 9 0	7 7 0
<i>III.—Male Juniors.</i>		
Under 16 years of age .. .. .	2 18 0	2 17 6
16 years of age .. .. .	4 2 6	4 1 6
17 years of age .. .. .	5 11 6	5 10 6
18 years of age .. .. .	7 0 6	6 19 0
19 years of age .. .. .	8 17 0	8 14 6
20 years of age .. .. .	10 13 0	10 10 6
<i>IV.—Junior Males (Foundries).</i>		
Under 16 years of age .. .. .	2 19 0	2 18 6
16 years of age .. .. .	3 19 0	3 18 0
17 years of age .. .. .	7 3 6	7 2 0
18 years of age .. .. .	9 1 0	8 18 6
19 years of age and over .. .. .	10 17 6	10 15 0

Provided that the rate payable to any employee shall not be less than 20s.

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

(b) Except in the case of employees in foundries, 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 in the Metal Trades industry 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 prescribed for a junior employee of his or her age, and, in addition thereto, the additional amounts set out in clause 25 (d).

## HOURS OF WORK.

*Day Workers.*

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

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

Provided that the spread of hours or the daily hours 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. Any dispute as to whether the ordinary hours of work can in any case or cases be worked in five days without detriment, loss or reduction as aforesaid shall be determined by the Wages Board upon application made by or on behalf of the employees. Upon such an application proof that the working of a five-days week will result in such detriment, loss or reduction as aforesaid shall be upon the employer.

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.

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

- (i) If by reason of such restriction or rationing or emergency disconnection he is unable usefully to employ an employee for the whole or part of any day or shift, he may deduct from the wages of that employee payment for any part of the day or shift such employee cannot be usefully employed provided that—
  - (1) if an employer requires the employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours' work;
  - (2) where an employee commences work he shall be entitled to be paid for four hours' work;
  - (3) this sub-clause shall not apply to apprentices.

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

- (1) for work performed on Mondays to Fridays from 7 a.m. to 5.30 p.m. and on Saturdays from 7 a.m. to noon—ordinary time;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.;
- (3) for work performed at all other times other than on a Sunday—ordinary rates plus 10 per cent.

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

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

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

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

- (4) Nothing 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 irability of the auxiliary power plant to meet the normal demands for power—
  - (1) finds it necessary to require any employee to perform his ordinary hours of work (or any of such ordinary hours of work) outside the hours normally worked by such employee; or
  - (2) finds it necessary to alter the time at which meal breaks are usually taken and/or the duration of them.

#### OVERTIME.

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

Except as provided in 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 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) Any employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

**SHIFT WORK.***Definitions.*

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

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

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

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

“Rostered shift” means a shift of which the employee concerned has had at least 48 hours’ notice.

*Hours—Continuous Work Shifts.*

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

The ordinary hours of such shift workers shall not exceed—

(i) 8 in any one day; or

(ii) 48 in any one week; or

(iii) 88 in 14 consecutive days; or

(iv) 160 in 28 consecutive days.

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

(i) a shift shall consist of not more than 8 hours, inclusive of crib time;

(ii) except at the regular change-over of shifts an employee shall not be required to work more than one shift in each 24 hours;

(iii) twenty minutes shall be allowed to shift workers each shift for crib, which shall be counted as time worked.

*Hours—Other Than Continuous Work.*

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

(i) 40 in any week to be worked in five shifts of 8 hours on Monday to Friday inclusive, or five shifts of not more than 8 hours and one shift (Saturday) of not more than four hours; or

(ii) 80 in 14 consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than 8 consecutive hours on any shift or more than six shifts in any week; or

(iii) 120 in 21 consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than 8 consecutive hours on any shift or more than six shifts in any week.

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

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

*Rosters.*

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

*Variation by Agreement.*

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

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

*Afternoon or Night 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.

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 shift other than a rostered shift shall—

- (i) if employed on continuous work be paid at the rate of double time ; or
- (ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter except in each case when the time is worked—
- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts ; or
- (v) is due to the fact that the relief man does not come on duty at the proper time ; or
- (vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 14 (b) hereof.

Provided that when not less than 8 hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first 4 hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

*Compulsory Overtime.*

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

*Sundays and Holidays.*

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

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 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.

*Junior and Female Employees.*

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

**HOLIDAYS AND SUNDAY WORK.**

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 10A 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) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays. Such double time to continue until he is relieved from duty.

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

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

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

10A. (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 foresaid.

*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 14A 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 to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

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

*Calculation of Service.*

(f) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of 3½ hours for each completed one month of continuous service and in respect of service after that date at the rate of 6½ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

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

*Calculation of Month.*

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

*Leave to be Taken.*

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

*Time of Taking Leave.*

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

*Leave Allowed Before Due Date.*

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

Where leave has been granted to an employee pursuant to this sub-clause before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each one complete month of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-twelfth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by clause 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, 5, and 6 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 3½ hours in respect of each completed one month of continuous service before the 1st January, 1948, and for 6½ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

*Annual Close Down.*

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

- (i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.
- (ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall subject to sub-clause (f) hereof also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.
- (iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.  
Provided that all time during which an employee is stood off without pay for the purposes of this sub-clause shall be deemed to be time of service in the next twelve-monthly qualifying period.
- (iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (i) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated 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.

*SHOP STEWARDS.*

11. 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.*

12. A duly accredited union representative shall have the right to enter employers' workshops during the midday meal hour for the purposes of interviewing employees on legitimate union business on the following conditions:—

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (ii) That he interviews employees only at the places where they are taking their meal.
- (iii) That not more than one representative in all be in any workshop at any one time.
- (iv) That no one representative visit a workshop more than once in each week.
- (v) That if any employer alleges that a representative is unduly interfering with his workshop or is creating disaffection amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry.
- (vi) The official making such inspection shall be entitled to take a copy of entries in a time and wages book relating to the suspected breach of the Determination.

*TRAVELLING TIME ALLOWANCE AND BOARD.*

13. (a) All fares and reasonable travelling expenses—including the cost, if any, incurred for meals—incurred by an employee during travelling shall be paid by the employer. The fares shall be first class on coastal boats, or on inter-state boats, where there is no second class distinct from steerage. On trains where the employee has to travel all night, sleeping accommodation shall be provided where available.

(b) Time occupied in travelling during the ordinary working hours of the factory in which the employee works shall be paid for at ordinary rates.

(c) If an employee has to be away from his home over night he shall be allowed reasonable cost of board and lodgings.

(d) When it is more convenient for the employee in the city or town in which his employer's factory is situated to go direct to the job from his home he shall do so, and start and cease work at the usual time customary at the shop. Provided that any extra expense incurred by him in travelling shall be borne by the employer.

*CONTRACT OF EMPLOYMENT.**Weekly Employment.*

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

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss an 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.

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

*Casual Employment.*

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

*Late Comers.*

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

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

**SICK LEAVE.**

14A. (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay subject to the following conditions and limitations:—

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

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

*Single Day Absences.*

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

*Cumulative Sick Leave.*

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) of this clause which has in any year not been allowed to an employee by an employer as paid sick leave may be claimed by the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the sick leave prescribed in respect of that year.

Provided that sick leave which accumulates pursuant to this sub-clause shall be available to the employee for a period of two years, but for no longer from the end of the year in which it accrues.

*Attendance at Hospital, &c.*

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

(e) For the purposes of this clause "year" means the period between the 1st day of March in each year and the next 28th or 29th day of February as the case may be.

**PAYMENT OF WAGES.**

15. (a) Wages shall be paid weekly. Where the services of an employee are dispensed with, wages shall be paid to him on the day of dismissal or forwarded to him by post on the day following.

(b) 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 of an hour with a minimum of a quarter of an hour.

**TIME AND WAGES BOOK.**

16. Each employer shall keep a time and wages book showing the name of each employee and his occupation, the hours worked each day and the wages and allowances paid each week.

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

The time and wages book shall be open for inspection to a duly accredited official of a union concerned during the usual office hours at the employer's office or other convenient place. Provided that no inspection shall be demanded unless the Secretary of the Union or the district secretary or organizer of any division suspects that a breach of this Determination has been or is being committed. Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment. The officer making such inspection shall be entitled to take a copy of the entry in the time and wages book relating to such suspected breach of this Determination.

**PAYMENT BY RESULTS.**

17. Subject to the minimum wages herein prescribed, an employer may remunerate any of his employees under any system of payment by results based on rates which will enable workers of average capacity to earn at least 10 per cent in excess of their prescribed hourly or weekly rates.

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

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

*Drinking Water.*

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

*First-Aid Outfit.*

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

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.

*Showers.*

(v) Employers shall provide for all workmen employed in foundries hot and cold shower baths, which shall be situated away from lavatories.

*Washing and Sanitary Conveniences.*

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

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

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

*Gloves.*

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

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

*Goggles.*

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

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

*Protective Clothing—Galvanizing, &c.*

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

*Protective Equipment—Welding.*

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

(a) Suitable asbestos sheets.

(b) Hand screens or helmets fitted with coloured glass (or in the case of oxy-acetylene operators protective glasses with side shields),

(c) Anti-flash goggles,

(d) Aprons, leather sleeves and leggings (or coveralls of flame-proof material) and gauntlet gloves; and

(e) Gum or other insulating boots when working in places so damp that danger of electric shock exists.

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

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

*Tools.*

(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.

*Tools—Patternmakers.*

(vii) Except when dismissed for misconduct or when leaving of his own accord, a patternmaker employed for less than three weeks at a workshop or job shall, to the extent of 6s., be reimbursed by his employer any expense incurred in the carting of tools.

Patternmakers at the conclusion of their employment shall be allowed one hour for grinding tools.

*Dressing Castings.*

(c) Where practicable, the dressing and rumberling of castings shall not be carried out in close proximity to employees not doing that work.

*Ladles.*

(d) (i) All ladles of a holding capacity of 15 cwt. or more in use at the time of the making of this Determination shall be fitted with safety-worm gear or an equivalent safety fitting; and all ladles of a holding capacity of 10 cwt. or more hereafter brought into operation shall be fitted with safety-worm gear.

(ii) Where molten metal is carried in ladles by hand the weight of molten metal shall not exceed:—

Single-handled ladles—60 lb., including the weight of the ladle.

Other ladles— $\frac{1}{4}$  cwt. per man.

(iii) Where molten metal is carried by hand, a clear passageway not less than 2 ft. 6 in. wide shall be made.

*Females—Rest Period and Seats.*

(e) 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.*

(f) 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.

*NOTICE BOARD.*

19. Employers shall permit a notice board of reasonable dimensions to be erected in a prominent position in their establishments upon which representatives of the unions shall be permitted to post notices of union meetings.

*POSTING DETERMINATION.*

20. A copy of this Determination shall be kept posted in a prominent position by the employer.

*MIXED FUNCTIONS.*

21. (a) Except as hereinafter provided 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.

(b) An employee engaged on any day on different grades of work under a system of payment by results in accordance with clause 17 of this Determination shall as to minimum rates be paid at the rates prescribed for time actually worked in each grade.

*EXTRA RATES NOT CUMULATIVE.*

22. Extra rates prescribed in this Determination are not cumulative so as to exceed the maximum of double the ordinary rates.

*DEFINITIONS.*

23. (a) "Assembler" means any adult person employed in putting together parts of any agricultural machinery covered by this Determination which have been previously fitted. The removal of burrs or rags shall not be deemed to be fitting.

(b) "Sheet Metal Worker—1st Class" means an adult workman working to scaled prints or drawings or applying general trade experience or knowledge to the making of completed articles and/or the erection and installation thereof.

(c) "Sheet Metal Worker—2nd Class" means an adult workman working at the bench in the making and/or repairing of completed articles not calling for the use of prints or drawings or measurements.

(d) "Confined space" means a working place, the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.

(e) "Furnaceman" means an employee in charge of a furnace used for smelting metals or ores, boiler plate furnaces, case hardening and/or annealing furnaces, and such heating furnaces where the weight of individual pieces of material is 5 cwt. or more or the area of the material exceeds 4 square feet.

(f) "Jobbing coremaker" means a moulder engaged in making cores for metal moulds by the use of loam or strickle boards, or by loose boxes, other than loose boxes used for repetition production of cores requiring little or no skill to produce.

(g) "Jobbing moulder" means a metal moulder engaged in floor moulding, loam moulding, strickle moulding and/or finishing off bath moulds made by a machine process.

(h) "Machine coremaker" means an adult employee making cores by machines where the core box is a fixture to or part of such machine, or making repetition cores requiring little or no skill to produce.

(i) "Machinist—1st Class" means a tradesman who is partly or wholly engaged in setting up and operating the following machines:—Lathe, boring machine, milling machine, planing machine, shaping machine, slotting machine, and grinding machine.

(j) "Machinist—2nd Class" means an adult not engaged as a tradesman and who is not required to work from drawings or prints required to be scaled and/or measured from drawings or prints or to make precision measurements, but who is engaged in operating or in the setting up and operating of machines enumerated in the definition of 1st class machinist; or who is engaged operating a key-seating machine, or as a pipe fitter on low pressure work.

(k) "Machinist—3rd Class" means a machinist, not being a process worker, who operates any machine set up by a tradesman or any machine, the setting up of which does not require the knowledge or skill of a 2nd class machinist.

(l) "Motor mechanic" means an adult employee engaged in making, repairing, altering, assembling (except for the first time in Australia) or testing the metal parts (including electric) of the engines of motor vehicles.

(m) "Patternmaker" means a tradesman engaged in the making of patterns in wood.

(n) "Plate and machine moulder" means an adult employee engaged in moulding on the plate system or by machines where the pattern is either a fixture to the plate or the spray system is used.

- (o) "Plough fitter" means an employee engaged in fitting harrows, scarifiers, drag harrows, disc ploughs, mould board ploughs, disc cultivators, tooth cultivators, rollers or stump extractors.
- (p) "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 product; other than by checking with gauges, which gauges shall be either unadjustable or, if adjustable, shall not be set by the operator); or
  - (ii) in the assembling of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or
  - (iii) in specialized processes—not requiring use of hand tools except hammers, pliers, screwdrivers, spanners, and files, and such tools as are necessary for deburring or removing rags or edging.
- (q) "Sunday" means all time between midnight Saturday and midnight Sunday.
- (r) "Toolmaker" means a tradesman making and/or repairing any precision tool, gauge, die, or mould to be affixed to any machine, who designs or lays out his work and is responsible for its proper completion.
- (s) "Welder—1st Class" means a tradesman using electric arc and/or acetylene blowpipe and or coal gas cutting plant or flame hardening who is required to apply general trade experience as a welder or flame hardener respectively.
- (t) "Welder—2nd Class" means an adult employee using an electric arc or oxy-acetylene blowpipe who is not a welder 1st class or welder 3rd class.
- (u) "Welder—3rd Class" means an adult employee using an electric spot or butt welding machine or cutting scrap with an oxy-acetylene blowpipe.
- (v) "Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of a workman, or a place where water accumulates underfoot to a depth exceeding two inches.

PERIODICAL ADJUSTMENT OF WAGES.

24. 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 by clause 25.

Basic Wage.

Place.	Adult Males.	
	Basic Wage (Adjustable).	Index Number Set Assigned.
Victoria—	£ s. d.	
Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; or at Warrnambool; and within Mildura and Gippsland districts	11 14 0	Melbourne
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne		

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

ADJUSTMENT OF BASIC WAGE.

25. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or in 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 .103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

(d) The wages rates for adult females and all juniors shall, as from the beginning of the first pay period to commence in February, 1951, be the percentages of the basic wage shown hereunder plus the war loadings and additional amounts specified. The percentages for juvenile females relate to the female basic wage, but, in all other cases, relate to the male basic wage. The total wages shall be calculated to the nearest 6d., half or less than half of 6d. in a result to be disregarded.

(i) Apprentices.

	Percentage of Basic Wage.	Additional Amount.	War Loading.
			Per Week.
		s. d.	s. d.
<b>Four and Five-year Terms—</b>			
1st year .. .. .	28	..	0 9
2nd year .. .. .	39	..	1 0
3rd year .. .. .	52	..	1 6
4th year .. .. .	82	..	2 3
5th year .. .. .	100 plus 3s.	..	3 0
<b>Four-year Terms—Apprenticeship commencing after the age of 17 years—</b>			
1st year .. .. .	32	..	0 9
2nd year .. .. .	52	..	1 6
3rd year .. .. .	82	..	2 3
4th year .. .. .	100 plus 3s.	..	3 0

(ii) *Females and Unapprenticed Males.*

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

	Percentage of Basic Wage.	Additional Amount.	War Loading.
		<i>s. d.</i>	<i>s. d.</i>
			Per Week.
<i>I.—Adult Females.</i>			
Under one month's experience .. .. .	75	..	..
All others .. .. .	75	16 0	..
<i>II.—Junior Females.</i>			
17 years of age and under .. .. .	52	3 6	..
18 years of age .. .. .	62	4 0	..
19 years of age .. .. .	72	4 6	..
20 years of age .. .. .	82	5 0	..
<i>III.—Male Juniors.</i>			
Under 16 years of age .. .. .	24	2 0	..
16 years of age .. .. .	34	3 0	..
17 years of age .. .. .	46	4 0	..
18 years of age .. .. .	58	5 0	..
19 years of age .. .. .	73	6 0	..
20 years of age .. .. .	88	7 0	..
<i>IV.—Junior Males (Foundries).</i>			
Under 16 years of age .. .. .	24	2 0	1 0
16 years of age .. .. .	32	2 6	1 9
17 years of age .. .. .	58	5 0	3 0
18 years of age .. .. .	73	6 0	4 0
19 years of age and over .. .. .	88	7 0	4 6

MARGINAL RATES.

26. In addition to the basic wage provided in clause 24 of this Determination the following margins and loadings shall be the minimum rates payable to male adults engaged in the occupations named :—

	Margin per Week.
	<i>s. d.</i>
DIVISION I.—AGRICULTURAL IMPLEMENT SECTION.	
<i>(a) Assembly, Fitting, and Process Working.</i>	
Assembler .. .. .	25 0
Assembler after two years' experience .. .. .	35 0
Carpenter on agricultural implement making (including tool allowance) .. .. .	57 6
Dismantler .. .. .	23 0
Implement and/or comb fitter .. .. .	45 0
Implement and/or comb fitter after two years' experience .. .. .	50 0
Pattern fitter and finisher .. .. .	50 0
Plate pattern fitter and finisher .. .. .	75 0
Plate pattern fitter and finisher (doing own machining) .. .. .	75 0
Plough fitter .. .. .	40 0
Process worker .. .. .	22 0
Wheel rimmer .. .. .	45 0
Windmill erector .. .. .	45 0
Windmill maker other than fitter .. .. .	42 6
<i>(b) Blacksmithing, &amp;c.</i>	
Blacksmith's striker .. .. .	23 0
Blacksmith's striker on double fires .. .. .	27 6
Bulldozer operator .. .. .	37 6
Hammer driver .. .. .	27 6
Heater .. .. .	23 0
Implement smith of five years' experience able to do all classes of implement work .. .. .	57 6
Other smith (including iron bender) .. .. .	50 0
<i>(c) Dressing, Grinding, and Pickling.</i>	
Chipper .. .. .	23 0
Dresser and fettler .. .. .	27 6
Emery-wheel attendant .. .. .	27 6
Grinder .. .. .	27 6
Grinder using portable machine .. .. .	32 6
Pickler .. .. .	20 0
Shot and sand blast dresser .. .. .	32 6





	Margin per Week.
DIVISION V.—WOOD MILL.	
	<i>s. d.</i>
Band sawyer .. .. .	29 0
Bending machinist .. .. .	26 0
Boring and drilling machinist .. .. .	22 0
Buzzer machinist (only operating or feeding machines) .. .. .	18 0
Buzzer machinist (using straight irons and setting up machines and grinding knives and cutters) .. .. .	32 0
Casemaker .. .. .	28 0
Casemaking sawyer .. .. .	19 0
Circular sawyer .. .. .	29 0
Crosscut sawyer .. .. .	22 0
Morticing machinist .. .. .	22 0
Moulding machinist (where the machinists set up their machines only) .. .. .	30 0
Moulding machinist (where the machinists set up their machines and grind their knives and cutters) .. .. .	39 0
Pulling out machinist .. .. .	21 0
Sanding machinist .. .. .	26 0
Saw doctor .. .. .	58 0
Shaper machinist .. .. .	44 6
Stackers .. .. .	21 0
Tenoning machinist (only operating or feeding machines) .. .. .	20 0
Tenoning machinist (using straight irons and setting up machines and grinding knives and cutters) .. .. .	36 0
Thickneser machinist .. .. .	25 0
Turner .. .. .	44 6
DIVISION VI.—MISCELLANEOUS.	
Belt maker and cutter .. .. .	31 0
Carpenter (other than agricultural implement making) .. .. .	75 0
The rate payable to employees working in this classification shall be increased by a tool allowance of 5s. per week .. .. .	
Carrier .. .. .	41 0
Other employees not elsewhere classified, with not less than three months' experience in the agricultural implement making industry .. .. .	9 0
Employee not elsewhere classified .. .. .	3 0

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

J. W. RYAN, Secretary.

Melbourne, 13th January, 1955.

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