



# VICTORIA GOVERNMENT GAZETTE

Published by Authority.

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No. 29]

WEDNESDAY, FEBRUARY 2.

[1955

*Vegetation Diseases (Fruit Fly) Act 1947 (No. 5258)*

## DECLARING A PROCLAIMED AREA.

### PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS by section 3 of the *Vegetation Diseases (Fruit Fly) Act 1947 (No. 5258)*, it is provided that, where the Governor in Council is of opinion that it is necessary to protect the fruit industry against the introduction or spread of the insects of the family *Trypetidae* (commonly known as fruit flies), he may by Proclamation declare any portion of Victoria specified therein to be a proclaimed area, and prohibit the planting on any land in the proclaimed area of any plant or vegetable specified, and prohibit the removal from any property within the proclaimed area to any other property within the area and from any place in the proclaimed area to any place outside the area of any fruit or vegetable, and require occupiers and owners of land in the proclaimed area to take such action for the eradication or prevention of the spread of fruit fly as is specified in the Proclamation: Now, therefore, I, the Governor of the State of Victoria, in the Commonwealth of Australia, being of opinion that it is necessary to protect the fruit industry of Victoria against the introduction or spread of the insects of the family *Trypetidae* (commonly known as fruit flies), and by and with the advice of the Executive Council of the said State, do by this my Proclamation hereby—

1. Declare that portion of Victoria—

In the Cities of Kew, Hawthorn and Richmond and within a boundary commencing at the intersection of Burnley-street and Swan-street; thence proceeding easterly along Swan-street and Wallen-road, to Power-street; thence southerly along Power-street to Riversdale-road; thence easterly along Riversdale-road to Auburn-road; thence northerly along Auburn-road and Wrixon-street to Sackville-street; thence westerly along Sackville-street to Davis-street; thence northerly along Davis-street to Cotham-road; thence westerly along Cotham-road to Uvadale-grove; thence northerly along Uvadale-grove to Park Hill-road; thence westerly along Park Hill-road to High-street; thence across High-street to Disraeli-street; thence northerly along Disraeli-street to Eglinton-street; thence westerly along Eglinton-street and Wills-street; thence by a straight line to the Yarra Boulevard; thence following the Yarra Boulevard southerly and westerly to Studley Park-road; thence easterly along Studley Park-road to Walmer-street; thence southerly along Walmer-street and Burnley-street, to Swan-street at the commencing point—

to be a proclaimed area.

No. 29.—908/54.

2. Prohibit the removal from any property within the proclaimed area to any other property within the area and from any place within the proclaimed area to any place outside the proclaimed area of any fruit or vegetable grown within the proclaimed area excepting fruit and vegetables removed on the instruction of an inspector for the purpose of destruction or examination or treatment.

3. Require occupiers and owners of land in the proclaimed area to give access to such land at all times to an inspector and/or his assistants for the purpose of applying to trees and plants on such properties any spray material which, in the opinion of an inspector, is necessary for the eradication or prevention of the spread of fruit flies and/or for the purpose of removing any fruit or vegetables or prohibited plant.

4. Require occupiers and owners of land in the proclaimed area to take action as and when directed by a notice served on such occupier or owner by an inspector and within the time specified in such notice.

(a) To remove all plants of—

Tomato (*Lyopersicum* sp.),  
Pepper (*Capsicum* sp.),  
Egg Plant (*Solanum melongena*),  
Ornamental Solanum (*Solanum* sp.),  
Rock Melon (*Cucumis* sp.),  
Sweet Melon (*Cucumis* sp.),  
Cucumber (*Cucumis* sp.),  
Cape Gooseberry (*Physalis edulis*),  
Brambles (except cultivated varieties),  
Box thorn provided that where box thorn is grown as a hedge along a boundary or dividing fence the occupier or owner may continue to so grow it on the following conditions—

(i) Cut back the hedge forthwith, and periodically as necessary to retain it within a height not exceeding six (6) feet from the ground level and a width not exceeding two (2) feet.

(ii) That when such hedge has been cut back to within the foregoing dimensions, he shall thoroughly spray it forthwith to cover all parts of the plants forming the hedge with a solution containing two thousand (2,000) parts of two-four Dichlorophenoxy-acetic acid (2-4n), or one of its derivatives, to one million (1,000,000) parts of water (0.2 per cent.), and he shall spray it thereafter as often as is necessary to prevent the plants from forming fruit.

and refrain from planting such plants while this Proclamation remains in force.

- (b) To remove from all trees and plants growing upon the said land and to pick up from the said land all of the following fruits and/or vegetables:—

Apples, apricots, brambles and other berry fruits, cape gooseberries, cherries, citrus fruits, cucumbers, egg fruit, figs, gooseberries, grapes, guavas, loquats, medlars, nectarines, passion fruit, peaches, pears, peppers, persimmons, plums, prunes, quinces, rock melons, sweet melons, tomatoes, and all edible fruits of all trees and plants, including all such fruits and vegetables which shall form on such trees and plants after the service of the said notice during such time as this Proclamation remains in force.

- (c) To dispose of all such fruits and/or vegetables by boiling for fifteen (15) minutes, or burning them so as to destroy all eggs and larvae of the fruit fly or burying them under a depth of soil of at least 3 feet after having applied to the upper layer of such buried fruit or vegetables D.D.T. at the rate of not less than one half-ounce per square yard in the form of a spray containing not less than 0.2 per cent. of the pure para para isomer of D.D.T. or in the form of a dust containing not less than 2 per cent. of the pure para para isomer of D.D.T., or by otherwise treating them as an inspector may direct, in such a manner as to kill all eggs, larvae and pupae of fruit flies.

- (d) To spray all trees and plants growing on the said land with a solution containing two thousand (2,000) parts of Dichloro-diphenyl-trichloroethane (D.D.T.) to one million parts of water (0.2 per cent.) at intervals not exceeding twenty-one (21) days during the period specified in such notice.

- (e) To treat the soil beneath and around trees suspected by an inspector to be infested or to have been infested with fruit fly by applying uniformly to the surface of an area or areas marked by an inspector Dichloro-diphenyl-trichloroethane (D.D.T.) at the rate per square yard of surface.

(1) Not less than one and one-half gallons of spray containing not less than 0.2 per cent. of the para para isomer of D.D.T., or

(2) one and one-half pounds of a dust containing not less than 2 per cent. of the para para isomer of D.D.T.

- (f) To reduce, if necessary, all tall growing trees and plants covered by this Proclamation to a height which will permit them to be stripped of fruit and/or sprayed to the satisfaction of an inspector.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, the second day of February, in the year of our Lord One thousand nine hundred and fifty-five, and in the third year of the reign of Her Majesty Queen Elizabeth II.

(L.S.) DALLAS BROOKS,

By His Excellency's Command,

C. P. STONEHAM,  
Minister of Agriculture.

GOD SAVE THE QUEEN!



# VICTORIA GOVERNMENT GAZETTE

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

No. 30]

FRIDAY, FEBRUARY 4.

[1955

*Labour and Industry Act 1953.*

## DETERMINATION OF THE UNDERTAKERS 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 which now has the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation of an undertaker, or maker of coffins," has made the following Determination, viz. :—

1. That as from the 1st January, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES PER WEEK OF 40 HOURS.\*

| Apprentices.  |                                 |               | Improvers.  |                                 |       | Other Employees.  |       | Within the<br>Metropolitan<br>District. | Outside the<br>Metropolitan<br>District. |
|---|---------------------------------|---------------|---|---------------------------------|-------|---|-------|---|--|
| WAGES.  |                                 |               | WAGES.  |                                 |       | WAGES.  |       | s. d.                                   | s. d.                                    |
| —   | Percentage<br>of Basic<br>Wage. | —             | Age.  | Percentage<br>of Basic<br>Wage. | —     |   |       |   |  |
| 1st year ..   | 39                              | s. d.<br>91 6 | Under 18..  | 58                              | 135 6 | Workers engaged in making<br>coffins of wrought timber for<br>either polishing or varnishing ..   | 322 0 | 319 0                                   |  |
| 2nd " ..  | 54                              | 126 6         | 18 ..   | 77                              | 180 0 | Workers engaged in making other<br>coffins, trimming or polishing<br>coffins, or conducting funerals  | 309 0 | 306 0                                   |  |
| 3rd " ..  | 68                              | 159 0         | 19 ..   | 99                              | 231 6 | Chauffeurs who make adjustments<br>and attend to actual running<br>repairs to motor hearses, coaches,<br>or wagons ..   | 304 6 | 301 6                                   |  |
| 4th " ..  | 90                              | 210 6         | 20 ..   | 100 +                           | 259 6 | Other chauffeurs who drive and may<br>be required to change tyres, oil,<br>and/or plugs, or grease, clean,<br>and/or polish a motor vehicle ..                                  | 291 0 | 288 0                                   |  |
| 5th " ..  | 100 +<br>17/6                   | 251 6         |   | 25/6                            |       | All others ..   | 271 0 | 268 0                                   |  |
| PROPORTION (within any<br>factory or place).  |                                 |               | PROPORTION (within any<br>factory or place).  |                                 |       | Provided that employees who live at either principal or<br>branch establishments shall receive 20s. per week extra and<br>shall be charged not more than a weekly rental of 1s. |       |   |  |
| One apprentice to every two<br>or fraction of two workers<br>receiving not less than 268s.<br>per week.     |                                 |               | One improver to every seven<br>or fraction of seven employees<br>receiving not less than 268s.<br>per week. |                                 |       |   |       |   |  |
| An amended indenture of<br>apprenticeship prescribed by<br>the Board was approved on<br>9th November, 1915. |                                 |               |   |                                 |       |   |       |   |  |

\* The hours fixed above for the week's work are to be taken as including time occupied in attending to horses on Sundays (not exceeding two hours).

Allowances.—For allowances under this Determination see clause 10.

TIMES OF BEGINNING AND ENDING WORK.

3. The ordinary times of beginning and ending work shall be between 8 a.m. and 5.30 p.m. Monday to Friday inclusive. A meal interval of 60 minutes shall be allowed, and taken between the hours of 11 a.m. and 2 p.m.

No. 30.—12917/54.—PRICE 6D.

## WEEK-END BURIAL OR CREMATION.

4. Within a radius of 25 miles from the Post Office situated at the corner of Bourke and Elizabeth streets, Melbourne, no employee shall be required to participate in the conduct of any burial or cremation on a Saturday or Sunday, subject to the following exceptions:—

- (a) Unless such burial or cremation is by direction of the District Officer of Health and—
- (i) the deceased has died from an acute infectious disease; or
  - (ii) the body is in a state of obvious decomposition at the time when the funeral arrangements are being made;
- (b) the deceased person died between the hours of midday and midnight on the preceding Thursday; or
- (c) where any of the holidays prescribed in clause 17 of this Determination occurs on the following Monday, save and except when the preceding Saturday is also prescribed as a holiday in the said clause 17.

## OVERTIME.

5. Outside the hours fixed as the times of beginning and ending work  
 Within the hours so fixed in excess of the number of hours as fixed for a week's work } Time and a half.

Provided that any employee required to do any removal work occupying any time between midnight and 6 a.m. on any day shall be paid a minimum of £1 5s. for each occasion he is so required to work.

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

## TERMS OF ENGAGEMENT.

6. Any employee (other than a casual employee) willing and available to work shall, in respect of each week of his employment, be paid the full weekly wage fixed by this Determination and shall, in addition, be paid at overtime rates for work done in excess of or outside the ordinary hours of employment.

## CASUAL LABOUR.

7. Casual employees, i.e., persons who are employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work, shall be paid at the rate of time and a quarter, with a minimum of one pound per day.

## ANNUAL HOLIDAY.

8. 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.

## PAYMENT OF WAGES.

9. All wages must be paid on Thursday, and in the employer's time. Each pay envelope shall be endorsed with the gross amount payable to the employee, and an itemised statement as to the amounts of deductions therefrom.

## ALLOWANCES.

10. (i) To the amounts otherwise prescribed in this Determination shall be added the following:—(a) Driver of a motor vehicle fitted with a charcoal gas producer unit—for each day or portion thereof upon which he is called upon to drive and/or clean such unit, 1s. per day; (b) Cleaner of gas producer unit (who is not a driver) for each day or part thereof upon which he is called upon to clean such unit, 1s. per day.

(ii) Suitable overalls and gloves shall be provided by the employer for employees cleaning gas producer units.

(iii) An employer shall re-imburse an employee the cost of any telephone calls made under instructions by him or in the case of an emergency in connexion with the duties of such employee.

## HOLIDAYS.

11. All employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day, and Boxing Day, and,

(i) within the said Metropolitan District as defined in the *Labour and Industry Act 1953*—Melbourne Cup Day and Show Day;

(ii) outside the said Metropolitan District—Melbourne Cup Day and Show Day or in lieu of such days, holidays to be mutually agreed upon between any employer and a majority of his employees;

but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays this condition shall only apply for the day so substituted, or should any such holiday occur on a Saturday or a Sunday and a day is not so substituted employees whether called upon to work on such day or not shall be entitled to a holiday in lieu of same on a day to be arranged between the employees and the employer concerned.

## SICK LEAVE.

12. (a) Any employee (other than a casual employee) who has had not less than six months' service with the same employer shall be entitled to leave of absence on account of ill-health, provided he has submitted, within 24 hours of the commencement of such absence, satisfactory evidence that same is not the result of his own misconduct. If the conditions hereinbefore stated have been complied with, the employee shall be entitled to leave of absence (without deduction of pay) for a period not exceeding in the aggregate 40 hours of working time in any year of service.

(b) Notwithstanding anything contained in sub-clause (a) hereof, if the full period of sick leave as prescribed therein is not taken in any year such portion as is not taken shall, provided the employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year and also cumulative upon any sick leave (not exceeding 120 hours of working time) which may have been standing to the credit of the employee on the 1st May, 1953.

(c) No employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under sub-clause (b) hereof.

## SUNDAY WORK.

13. All employees assisting in the carrying out of funerals or removals on any Sunday shall be paid a minimum of 20s. for such work.

## PICNIC DAY.

14. The third Wednesday in February in each year shall be observed as a holiday within a radius of 25 miles of the General Post Office, Melbourne, and at Ballarat, Bendigo, Geelong, and Warrnambool.

## EXTENDED JOURNEY.

15. A motor driver shall not be required to travel on any journey extending over 110 miles from the employer's headquarters unless accompanied by a male adult employee who shall also be a licensed motor driver.

## TERMINATION OF EMPLOYMENT.

16. Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker, or a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

SPECIAL RATES.

17. Time and a half, with a minimum payment of 10s., shall be paid for all work done on a Saturday, and double time shall be paid for all work done on Sundays, New Year's Day, Australia Day, Picnic Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day, Boxing Day, and,

- (i) within the Metropolitan District as defined in the *Labour and Industry Act 1953*—Melbourne Cup Day and Show Day;
- (ii) outside the said Metropolitan District—Melbourne Cup Day and Show Day or in lieu of such days, holidays to be mutually agreed upon between any employer and a majority of his employees;

but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the special rate shall only be payable for work done on the day so substituted.

17A. Notwithstanding anything contained in clause 11 and 17 hereof, Saturday the 25th December, 1954, shall, for the purposes of those clauses be Christmas Day and the provisions as regards the substitution by Proclamation of another holiday in lieu of such Saturday shall not apply.

Tuesday the 28th December, 1954, shall be a working day, but work done on such day shall be paid for at the rate of double time.

PROVISION FOR PROTECTIVE CLOTHING.

18. Gum boots shall be provided for employees whilst washing vehicles. Raincoats and rubber gloves for the use of employees when same are necessary, shall be provided by the employer.

STANDING BY TIME.

19. An employee called upon to stand by, that is, to hold himself available if wanted, shall be paid the following rates:—

- (a) Between the hours of 5.30 p.m. and midnight (Monday to Friday)—3s. per night;
- (b) Between 1 p.m. on Saturday, and 6 a.m. on the following Monday, 6d. per hour for each hour he is so required to stand by;
- (c) The allowances prescribed in sub-clauses (a) and (b) hereof shall be in addition to appropriate payments for any work done during the hours therein mentioned;
- (d) Notwithstanding anything contained in sub-clauses (a) or (b) hereof, an employee required to stand by at an employer's place of business shall be entitled to be paid at the rate prescribed for a chauffeur who makes adjustments and attends to actual running repairs to motor hearses, coaches, or wagons for all time he is so required to stand by.

EXHUMATIONS.

20. Any undertaker's assistant required to do any work in a cemetery in connexion with an exhumation shall receive an allowance of £1 in addition to his ordinary wage.

PIECEWORK.

21. That the lowest piecework prices to be paid to persons for doing work of the kinds specified in the following Schedule shall be:—

SCHEDULE.

| All Inside Measurements (Head to Heel).  | If made Throughout by Hand—   |   |                           | If made with the Aid of Machinery Actually Installed on Employer's Premises, and Driven by Steam, Gas, Oil, Water, or Electric Power— |   |                           |
|--|-------------------------------|---|---------------------------|---|---|---------------------------|
|  | Not Exceeding 20 Inches Wide. | Over 20 Inches, but not Exceeding 22 Inches Wide. | Exceeding 22 Inches Wide. | Not Exceeding 20 Inches Wide.   | Over 20 Inches, but not Exceeding 22 Inches Wide. | Exceeding 22 Inches Wide. |
|  | Each.                         | Each.   | Each.                     | Each.   | Each.   | Each.                     |
|  | s. d.                         | s. d.   | s. d.                     | s. d.   | s. d.   | s. d.                     |
| Best oak, maple, myrtle, or other wrought hardwood coffins, over 4 ft. 9 in. long .. .. .                                    | 105 8                         | 112 2   | 118 6                     | 92 4  | 99 6  | 107 6                     |
| Plain oak, maple, myrtle, or other wrought hardwood coffins, over 4ft. 9 in. long (with or without a plinth) .. .. .         | 94 6                          | 101 5   | 107 9                     | 83 3  | 89 5  | 96 0                      |
| Kauri, cedar, white pine, or other wrought soft-wood coffins, best, over 4 ft. 9 in. long .. .. .                            | 79 6                          | 82 5  | 88 8                      | 69 10   | 74 2  | 78 0                      |
| Kauri, cedar, white pine, or other wrought soft-wood coffins, plain, with or without a plinth, over 4 ft. 9 in. long .. .. . | 63 9                          | 68 6  | 74 1                      | 56 8  | 61 1  | 67 11                     |
| Common coffins, over 4 ft. 9 in. long .. .. .  | 14 3                          | 15 11   | 17 10                     | 12 5  | 14 0  | 15 11                     |
| Common coffins, over 4 ft. 9 in. long, over 1 inch in thickness .. .. .  | 15 11                         | 17 10   | 19 11                     | 14 0  | 15 11   | 17 10                     |
|  | s. d.                         |   |                           | s. d.   |   |                           |
| Oak, maple, myrtle, or other wrought hardwood coffins, up to 4 ft. 9 in. long .. .. .  | 58 11 each                    |   |                           | 49 11 each  |   |                           |
| Kauri, cedar, white pine, or other wrought soft-wood coffins, up to 4 ft. 9 in. long .. .. .                                 | 48 5 "                        |   |                           | 38 11 "   |   |                           |
| Common coffins, up to 2 feet long .. .. .  | 63 9 per dozen                |   |                           | 49 3 per dozen  |   |                           |
| Common coffins, over 2 feet and up to 3 feet long .. .. .  | 86 0 "                        |   |                           | 68 7 "  |   |                           |
| Common coffins, over 3 feet and up to 4 ft. 9 in. long .. .. .   | 116 7 "                       |   |                           | 91 8 "  |   |                           |
| Inside shells for lead coffins .. .. .   | 42 6 each                     |   |                           | 28 7 each   |   |                           |
| Cover lids, up to 2 feet wide .. .. .  | 59 1 per dozen                |   |                           | 40 1 per dozen  |   |                           |
| Cover lids, over 2 feet wide .. .. .   | 64 6 "                        |   |                           | 63 8 "  |   |                           |
|  | s. d.                         |   |                           |   |   |                           |
| Extra for common coffins or coverlids if glued .. .. .   | .. .. .                       |   |                           | .. 3 6 each   |   |                           |
| Extra for lids made with two or three decks .. .. .  | .. .. .                       |   |                           | .. 22 6 "   |   |                           |

DEFINITION.

22. "Best" coffin means a coffin which bears any ornamentation other than a plinth.

PERIODICAL ADJUSTMENT OF WAGES.

23. The wages rates for adult males set out in clause 2 are based upon the following basic wage and, pursuant to the provisions of section 33 of the *Labour and Industry Act*, 1953, this Board hereby determines that such rates shall be automatically adjusted as prescribed in clause 24. Provided that piecework prices shall be adjusted proportionately to adjustments of the basic wage such adjustments to be to the nearest 1d.

*Basic Wage.*

| Place.                       | Basic Wage (Adjustable). | Index Number Set Assigned. |
|------------------------------|--------------------------|----------------------------|
| Throughout the State .. .. . | £ s. d.<br>11 14 0       | Melbourne                  |

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in February, 1955, the amount of the Basic Wage shall be as prescribed in clause 23.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, a August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor '103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings but, should the decimal number reach .5 or more, the basic wage shall be taken to the next higher shilling.

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

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

J. W. RYAN, Secretary.

Melbourne, 7th December, 1954.



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FRIDAY, FEBRUARY 4.

[1955

*Labour, and Industry, Act, 1953.*

DETERMINATION OF THE WIRE FENCE AND TUBULAR GATE 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 which now has the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of making or erecting woven wire fence (other than wire netting) and tubular gates, 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. |    |    |
|--|-----------------|----|----|
|  | £               | s. | d. |
| Welder—  |                 |    |    |
| Special class (as defined) .. .. .   | 15              | 16 | 6  |
| First class .. .. .  | 15              | 9  | 0  |
| Second class .. .. .   | 13              | 9  | 0  |
| Third class .. .. .  | 12              | 19 | 0  |
| Tack welder .. .. .  | 13              | 4  | 0  |
| Machinists, being those engaged in working on ringlock, or any other class of fence-making machines, chain netting machines, or picket fabric machines .. .. . | 13              | 9  | 0  |
| Paint spray operator .. .. .   | 12              | 19 | 0  |
| Persons employed in attaching chain netting, fabric, or wire cables to gates or frames .. .. .   | 13              | 2  | 6  |
| Scroll maker .. .. .   | 13              | 2  | 6  |
| Tubular frame maker .. .. .  | 13              | 9  | 0  |
| Person engaged in erecting woven wire fence or tubular gates .. .. .   | 13              | 9  | 0  |
| Stump hand .. .. .   | 12              | 15 | 6  |
| All other adult employees .. .. .  | 11              | 17 | 0  |

Provided that any person without previous experience employed in attaching chain netting, fabric, or wire cables to gates or frames, scroll making or tubular frame making, and erectors of woven wire fence or tubular gates, shall be paid 25s. 6d. per week for the first six weeks of such employment in the industry.

LEADING HANDS.

3. 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 twenty employees, 45s. per week extra.

APPRENTICESHIP.

4. The Board has determined that no apprentice shall be taken in the trade.

## UNAPPRENTICED MALE JUNIORS.

5. The wages of unapprenticed male juniors shall be:—

|                       | Percentage of Basic Wage. | Additional Amount. | Wages per Week of 40 Hours. |         |
|-----------------------|---------------------------|--------------------|-----------------------------|---------|
|                       |                           |                    | s. d.                       | £ s. d. |
| Under 16 years of age | 24                        | 2 0                | 2                           | 18 0    |
| 16 years of age       | 34                        | 3 0                | 4                           | 2 6     |
| 17 years of age       | 46                        | 4 0                | 5                           | 11 6    |
| 18 years of age       | 58                        | 5 0                | 7                           | 0 6     |
| 19 years of age       | 73                        | 6 0                | 8                           | 17 0    |
| 20 years of age       | 88                        | 7 0                | 10                          | 13 0    |

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

The minimum rate payable to a junior employee of 18 years or more with less than six months' experience under this Determination shall until he has had such 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 age, and in addition thereto the further additional loading specified for such an employee.

No junior shall be employed in outside spray painting or in the occupation of outside erecting who has not attained the age of nineteen years and has not completed two years in the industry or if under the age of 16 years, using electric arc or oxy-acetylene blow pipe.

## SPECIAL RATES.

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

*Wet Places.*

(a) 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 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.

*Confined Spaces.*

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

*Special Rates not Cumulative.*

(c) 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.*

(d) 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 Time, Allowance, and Board.*

7. (a) An employee required to work at a job away from his workshop or depot shall, at the direction of his employer, present himself for work at such job at the usual time of starting work. When an employee is required to work away from his workshop or depot, all time reasonably spent in excess of time usually spent in travelling to or from his home to the workshop or depot shall be paid for at ordinary rates (except on Sunday or a holiday when payment shall be at the rate of time and a half), up to a maximum of twelve hours out of every 24 or, where a sleeping berth is provided, a maximum of eight hours out of every 24.

(b) An employee engaged in a capital city to work in the country, or sent from one country centre to work in another country centre, shall be entitled to travelling time, and for a period not exceeding three months to expenses.

All excess fares and reasonable travelling expenses, including 5s. for each meal, together with the cost of board and lodging if the employee has to remain away from his home for a night, shall be paid by the employers.

The fares allowed shall be first class on coastal boats or on interstate boats where there is no second class as distinct from steerage, and on trains second class, except where all-night travelling is involved, when they shall be first class, and sleeping berths shall be provided where available.

(c) A camping allowance of 8s. 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 Sundays.

(d) 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.*

8. (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-day Week.*

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

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

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

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

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

**EMERGENCY PROVISIONS.**

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

(i) If by reason of such restriction or rationing or emergency disconnection he is unable usefully to employ an employee for the whole or part of any day or shift, he may deduct from the wages of that employee payment for any part of the day or shift such employee cannot be usefully employed provided that—

- (1) if an employer requires the employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours' work;
- (2) where an employee commences work he shall be entitled to be paid for four hours' work;
- (3) this sub-clause shall not apply to apprentices.

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

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

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

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

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

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

- (4) Nothing contained in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers 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 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 to meet the normal demands for power—
  - (1) finds it necessary to require any employee to perform his ordinary hours of work (or any of such ordinary hours of work) outside the hours normally worked by such employee; or
  - (2) finds it necessary to alter the time at which meal breaks are usually taken and/or the duration of them.

**SHIFT WORK.***Definitions.*

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

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

*Hours—Continuous Work Shifts.*

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

The ordinary hours of such shift workers shall not exceed—

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

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

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

*Hours—Other than Continuous Work.*

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

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

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

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

*Rosters.*

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

*Variation by Agreement.*

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

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

*Afternoon or Night Shift Allowances.*

(f) Shift workers on continuous work whilst on afternoon or night shifts shall be paid  $7\frac{1}{2}$  per cent. more than the ordinary rates for such shifts.

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

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

An employee who—

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

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

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

*Overtime.*

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

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

except in each case when the time is worked—

- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts; or
- (v) is due to the fact that the relief man does not come on duty at the proper time; or
- (vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 15 (b) hereof.

Provided that when not less than 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.*

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

*Sundays and Holidays.*

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

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

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

*Junior Employees.*

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

*MIXED FUNCTIONS.*

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

*OVERTIME.*

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

(b) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time shall 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.

If on the instructions of his employer any employee resumes work without having had such eight hours off duty he shall be paid at double rates until he is relieved from duty to take such rest period, and he shall then 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.

(c) Except as otherwise provided in paragraphs (a) and (b) hereof, in computing overtime each day's work shall stand alone.

(d) An employee recalled to work overtime after leaving his employer's business 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.

(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.

(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.

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

(h) 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 or 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.

(i) An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 5s. and 3s. 4d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime he shall be paid as above prescribed for meals so provided.

(j) 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 purposes of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

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

#### *Compulsory Overtime.*

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

#### **HOLIDAYS AND SUNDAY WORK.**

12. (a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this provision shall apply only to the day so substituted.

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

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

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

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

#### **EXTRA RATES NOT CUMULATIVE.**

13. Extra rates in this Determination, except rates prescribed in clause 6 are not cumulative so as to exceed the maximum of double the ordinary rates.

#### **PAYMENT OF WAGES.**

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

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

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

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

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

#### **CONTRACT OF EMPLOYMENT.**

##### *Weekly Employment.*

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

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

##### *Casual Employment.*

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.

#### **SICK LEAVE.**

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

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

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

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

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

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

*Single Day Absences.*

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

*Cumulative Sick Leave.*

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

*Attendance at Hospital, etc.*

(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.**

17. (a) The annual holiday for an employee on weekly hiring, or a casual employee, 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.

(b) In addition to the above, seven day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed for each twelve monthly qualifying period one week's leave including non-working days.

(c) 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 two weeks' annual leave prescribed by the said Act increased by one half day for each month he is continuously engaged as aforesaid.

(d) If in any twelve-monthly qualifying period a seven day shift worker lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee the employee shall be paid, in addition to all other amounts (including any payment in lieu of annual leave as prescribed by sub-clause (a) hereof) due to him, an amount equal to one-fiftieth of his ordinary pay for the period of employment as a seven day shift worker.

**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.

The Regulations under the *Labour and Industry Act 1953* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles:—

| Articles.  | Quantities to be kept in Ambulance Chest— |
|--|---|
| Antiseptic solution .. .. .  | 1 bottle                                  |
| Bandages, cotton and gauze .. .. .   | 1 dozen assorted sizes                    |
| Castor oil .. .. .   | 2 oz.                                     |
| Iodine, tincture of .. .. .  | 2 oz.                                     |
| Manual, first-aid .. .. .  | 1   |
| Petrolatum, carbolized .. .. .   | 1 jar                                     |
| Picric acid solution, made according to the following recipe or prescription:—<br>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 damages 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 performances 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 Equipment—Welding.*

(iv) 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.*

(v) 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.

**SHOP STEWARDS.**

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

**RIGHT OF ENTRY OF UNION OFFICIALS.**

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

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

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the mid-day meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as 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, 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 \_\_\_\_\_ is a duly accredited representative  
of the above-named organization. \_\_\_\_\_  
General Secretary.

SEAL

Date.

Specimen signature of holder.

Strictly not transferable.

**TIME AND WAGES BOOK.**

21. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed: Provided also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

NOTICE BOARD.

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

DEFINITIONS.

23. "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.

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

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

Welding.

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

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

"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.

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

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates set out in clause 2 are based upon the following basic wage rate, 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.           | Basic Wage (Adjustable). | Index Number Set Assigned. |
|------------------|--------------------------|----------------------------|
|                  | £ s. d.                  |                            |
| Victoria .. .. . | 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 .103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

MARGINAL RATES.

26. In addition to the basic wage prescribed by clause 24, any adult employee of a classification specified hereunder shall be paid the margin hereinafter assigned to that classification.

| Classification.   | Margin. |
|---|---------|
|   | s. d.   |
| Welder—   |         |
| Special class (as defined) .. .. .  | 82 6    |
| First-class .. .. .   | 75 0    |
| Second-class .. .. .  | 35 0    |
| Third-class .. .. .   | 25 0    |
| Tack welder .. .. .   | 30 0    |
| Machinists, being those engaged in working on ring-lock, or any other class of fence-making machines, chain netting machines, or picket fabric machines .. .. . | 35 0    |
| Paint spray operator .. .. .  | 25 0    |
| Person employed in attaching chain netting, fabric, or wire cables to gates or frames .. .. .   | 28 6    |
| Scroll maker .. .. .  | 28 6    |
| Tubular frame maker .. .. .   | 35 0    |
| Person engaged in erecting woven wire fence or tubular gates .. .. .  | 35 0    |
| Stump hand .. .. .  | 21 6    |
| All other adult employees .. .. .   | 3 0     |

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

J. W. RYAN, Secretary.

Melbourne, 6th December, 1954.



**VICTORIA**

**GOVERNMENT GAZETTE.**

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No. 32]

FRIDAY, FEBRUARY 4.

[1955

*Labour and Industry Act 1953.*

**DETERMINATION OF THE WIREWORKERS 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 employed either inside or outside a factory or work-room in the process, trade, or business of—

A wire-worker, using six gauge or smaller wire, but not including persons employed in making wire netting, barbed wire wire nails, or wire mattresses.”

has made the following Determination, viz.:—

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.

| Apprentices or Improvers.                  |         | Juvenile Workers, i.e., persons under 21 years of age (other than apprentices or improvers).  | Other Employees. |                             |   |
|--|---------|---|------------------|-----------------------------|---|
|  |         | (a) Engaged in the manufacture of fly wire or mosquito gauze, or employed minding swifts, blacking, painting, or oiling, carrying or moving material, packing, cleaning up factory or going messages— | WAGES.           |                             |   |
| Wages Per Week, Apprentices and Improvers. |         |   |                  | Per Hour.                   | Per Week.                               |
| £ s. d.                                    |         |   |                  | s. d.                       | s. d.                                   |
| Under 16 years ..                          | 3 5 6   |   |                  |                             |   |
| 16 to 17 years ..                          | 4 9 0   |   |                  |                             |   |
| 17 to 18 years ..                          | 5 10 0  |   |                  |                             |   |
| 18 to 19 years ..                          | 6 18 0  |   |                  |                             |   |
| 19 to 20 years ..                          | 8 11 0  |   |                  |                             |   |
| 20 to 21 years ..                          | 10 15 6 |   |                  |                             |   |
| Thereafter, Minimum Wage                   |         |   |                  |                             |   |
|  |         |   | Wages Per Week.  |                             |   |
|  |         |   | £ s. d.          |                             |   |
|  |         | Under 16 years ..   | 3 5 6            | Wire-workers or             |   |
|  |         | 16 to 17 years ..   | 4 9 0            | Weavers ..                  | 6 11 <sup>7</sup> / <sub>10</sub> 279 0 |
|  |         | 17 to 18 years ..   | 5 10 0           | Tinners ..                  | 7 1 <sup>1</sup> / <sub>2</sub> 285 6   |
|  |         | 18 to 19 years ..   | 6 18 0           | Oxy-welders ..              | 6 11 <sup>7</sup> / <sub>10</sub> 279 0 |
|  |         | 19 to 20 years ..   | 8 11 0           | Storemen ..                 | 6 11 <sup>7</sup> / <sub>10</sub> 279 0 |
|  |         | 20 to 21 years ..   | 10 15 6          | Paint spraying operators .. | 6 11 <sup>7</sup> / <sub>10</sub> 279 0 |

Wages per Week of 40 Hours—*continued.*

| Apprentices or Improvers.  | Juvenile Workers, i.e., persons under 21 years of age (other than apprentices or improvers).  | Other Employees. |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
|--|---|------------------|-----------------|---|--|--|---------|------------------------|-------|------------------------|-------|------------------------|--------|------------------------|--------|------------------------|--------|------------------------|---------|--|
| <p style="text-align: center;">PROPORTION.</p> <p>(In any factory or place.)</p> <p style="text-align: center;"><i>Apprentices.</i></p> <p>One apprentice to every three or fraction of three workers receiving not less than 270s. per week.<br/>An indenture of apprenticeship prescribed has been approved.</p> <p style="text-align: center;"><i>Improvers.</i></p> <p>One improver to every two workers receiving not less than 270s. per week.</p> | <p style="text-align: center;">PROPORTION.</p> <p>One juvenile worker to every six workers receiving not less than 270s. per week.</p> <p>(b) Engaged in power loom weaving, in winding bobbins, operating looms, packing, wrapping, or assisting in any work in connexion with the production of commercial power woven wire—</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="width: 20%; text-align: center;">Wages Per Week.</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">—</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">£ s. d.</td> </tr> <tr> <td>Under 16 years .. .. .</td> <td style="text-align: center;">3 5 6</td> </tr> <tr> <td>16 to 17 years .. .. .</td> <td style="text-align: center;">4 9 0</td> </tr> <tr> <td>17 to 18 years .. .. .</td> <td style="text-align: center;">5 10 0</td> </tr> <tr> <td>18 to 19 years .. .. .</td> <td style="text-align: center;">6 18 0</td> </tr> <tr> <td>19 to 20 years .. .. .</td> <td style="text-align: center;">8 11 0</td> </tr> <tr> <td>20 to 21 years .. .. .</td> <td style="text-align: center;">10 15 6</td> </tr> </tbody> </table> <p style="text-align: center;">PROPORTION.</p> <p>One juvenile worker to every adult weaver receiving not less than 270s. per week.</p> |                  | Wages Per Week. | — |  |  | £ s. d. | Under 16 years .. .. . | 3 5 6 | 16 to 17 years .. .. . | 4 9 0 | 17 to 18 years .. .. . | 5 10 0 | 18 to 19 years .. .. . | 6 18 0 | 19 to 20 years .. .. . | 8 11 0 | 20 to 21 years .. .. . | 10 15 6 |  |
|  | Wages Per Week.   |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
| —  |   |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
|  | £ s. d.   |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
| Under 16 years .. .. .   | 3 5 6   |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
| 16 to 17 years .. .. .   | 4 9 0   |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
| 17 to 18 years .. .. .   | 5 10 0  |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
| 18 to 19 years .. .. .   | 6 18 0  |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
| 19 to 20 years .. .. .   | 8 11 0  |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |
| 20 to 21 years .. .. .   | 10 15 6   |                  |                 |   |  |  |         |                        |       |                        |       |                        |        |                        |        |                        |        |                        |         |  |

3.

TIME OF BEGINNING AND ENDING WORK.

| Time of Beginning. | Time of Ending.  |
|--------------------|--|
| 7.45 a.m. .. .. .  | 5.30 p.m. on each of five days of the week.  |
| 7.45 a.m. ....     | 12.15 p.m. on the other working day of the week on which the half-holiday is usually observed. |

EMERGENCY PROVISIONS.

3A. (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.

- (iv) 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.
- (v) 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.

#### OVERTIME.

- 4. (a) For work done within the times of beginning and ending work in excess of 40 hours in any week, time and a half.
  - (b) For all work done outside the times of beginning and ending work the wages rates shall be time and a half for the first four hours and double time thereafter. In computing overtime each day's work shall stand alone.
- 4A. An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

#### MEAL ALLOWANCE.

5. Any employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a reasonable meal by the employer or paid an allowance of five shillings.

#### SPECIAL RATES.

6. Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Boxing Day and Queen's Birthday, 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.

#### PAYMENT FOR HOLIDAYS.

7. Ordinary rates shall be paid, if not worked, for the following days:—New Year's Day, Christmas Day, Boxing Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, and Queen's Birthday, 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.

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.

#### ANNUAL HOLIDAY.

8. 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.

#### SICK LEAVE.

9. (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.

Definition.

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

ALLOWANCES.

10. Any employee engaged on work away from the workshop shall be—  
 (a) conveyed to and from work free or allowed the fares necessarily expended in going to and fro;  
 (b) paid the ordinary rate of wages for time occupied in travelling.

PROHIBITION OF EMPLOYMENT.

11. No person under the age of 16 years shall be engaged in the operation of paint-spraying.

PIECEWORK.

12. 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.

PERIODICAL ADJUSTMENT OF WAGES.

13. The wages rates set out in clause 2 are based upon the following basic wage for adult males, and, pursuant to the provisions of Section 33 of the *Labour and Industry Act 1953*, shall be automatically increased or decreased as prescribed in clause 14.

(a) BASIC WAGE.

| Place.                       | Basic Wage (Adjustable.) | Index Number Set Assigned. |
|------------------------------|--------------------------|----------------------------|
|                              | £ s. d.                  |                            |
| Throughout the State .. .. . | 11 14 0                  | Melbourne                  |

ADJUSTMENT OF BASIC WAGE.

14. (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 13.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

(d) The wages of all junior employees shall be adjusted at the same time as adjustments are made to the basic wage. Such wages shall be the under-mentioned percentages of the basic wage calculated to the nearest 6d., half or less than half of 6d., in a result, to be disregarded.

|                          | Percentage Per Week. |
|--------------------------|----------------------|
| Under 16 years .. .. .   | 28                   |
| 16 to 17 years .. .. .   | 38                   |
| 17 to 18 years .. .. .   | 47                   |
| 18 to 19 years .. .. .   | 59                   |
| 19 to 20 years .. .. .   | 73                   |
| 20 to 21 years .. .. .   | 92                   |
| Thereafter, Minimum Wage |                      |

15. In addition to the basic wage provided in clause 13, the margins set out in this clause shall be the minimum rate payable to employees therein named.

| Classification.                  | Margin Per Week. |
|----------------------------------|------------------|
|                                  | s. d.            |
| Wire-workers or Weavers .. .. .  | 45 0             |
| Fitters .. .. .                  | 51 6             |
| Oxy-Welders .. .. .              | 45 0             |
| Storemen .. .. .                 | 45 0             |
| Paint spraying operators .. .. . | 45 0             |

A. V. BARNES, J.P., Chairman.  
 J. W. RYAN, Secretary.

Melbourne, 6th December, 1954.



# VICTORIA GOVERNMENT GAZETTE.

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No. 33]

FRIDAY, FEBRUARY 4.

[1955

*Labour and Industry Act 1953.*

## DETERMINATION OF THE WATCH CASES 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 employed in the trade of manufacturing or preparing watch cases" 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.

(a) Apprentices.

|  | Percentage<br>of<br>Basic Wage. | Total Wage Payable—  |                             |
|--|---------------------------------|--|-----------------------------|
|  |                                 | Within 20 Miles<br>G.P.O., Melbourne;<br>10 Miles of G.P.O.,<br>Geelong; at<br>Warrambool; and<br>within Mildura and<br>Gippsland Districts. | Other Parts<br>of Victoria. |
|  | Per Week.                       | £ s. d.  | £ s. d.                     |
| Four and five-year terms—  |                                 |  |                             |
| 1st year .. .. .   | 32                              | 3 15 0   | 3 14 0                      |
| 2nd year .. .. .   | 43                              | 5 0 6  | 4 19 6                      |
| 3rd year .. .. .   | 54                              | 6 6 6  | 6 4 6                       |
| 4th year .. .. .   | 83                              | 9 14 0   | 9 11 6                      |
| 5th year .. .. .   | 100 plus 6s.                    | 12 0 0   | 11 17 9                     |
| Four-year terms—Apprentice commencing after the age of 17 years— |                                 |  |                             |
| 1st year .. .. .   | 34                              | 3 19 6   | 3 18 6                      |
| 2nd year .. .. .   | 54                              | 6 6 6  | 6 4 6                       |
| 3rd year .. .. .   | 83                              | 9 14 0   | 9 11 6                      |
| 4th year .. .. .   | 100 plus 6s.                    | 12 0 0   | 11 17 0                     |

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

PROPORTION (IN ANY PLACE).

One apprentice to every one male worker receiving not less than the minimum wage. An indenture of apprenticeship has been prescribed by the Board.

(b) (b) Adult Females, Junior Females, and Junior Males.

|  | *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. | Other Parts of Victoria. |
|  |                            |                    | Per Week.  | Per Week.                |
|  |                            |                    | £ s. d.  | £ s. d.                  |
| <i>I.—Adult Females.</i>   |                            |                    |  |                          |
| Under one month's experience .. .. .   | 75                         |                    | 8 15 6   | 8 13 0                   |
| All others .. .. .   | 75                         | 16 0               | 9 11 6   | 9 9 0                    |
| When employed at work defined in clause 18 (a) as that of a "First Class Watch Case Tradesman" the margin of 16s. and the appropriate wages rates shall be increased by 10s. |                            |                    |  |                          |
| <i>II.—Junior Females.</i>   |                            |                    |  |                          |
|  |                            | Additional Amount. |  |                          |
| 17 years of age and under .. .. .  | 52                         | 3 6                | 4 15 0   | 4 13 6                   |
| 18 years of age .. .. .  | 62                         | 4 0                | 5 13 0   | 5 11 6                   |
| 19 years of age .. .. .  | 72                         | 4 6                | 6 11 0   | 6 9 0                    |
| 20 years of age .. .. .  | 82                         | 5 0                | 7 9 0  | 7 7 0                    |
| <i>III.—Junior Males.</i>  |                            |                    |  |                          |
| Under 16 years of age .. .. .  | 24                         | 2 0                | 2 18 0   | 2 17 6                   |
| 16 years of age .. .. .  | 34                         | 3 0                | 4 2 6  | 4 1 6                    |
| 17 years of age .. .. .  | 46                         | 4 0                | 5 11 6   | 5 10 6                   |
| 18 years of age .. .. .  | 58                         | 5 0                | 7 0 6  | 6 19 0                   |
| 19 years of age .. .. .  | 73                         | 6 0                | 8 17 0   | 8 14 6                   |
| 20 years of age .. .. .  | 88                         | 7 0                | 10 13 0  | 10 10 6                  |

\* The percentages for junior females relate to the female basic wage, (i.e. 75 per cent of the male basic wage) but in all other cases relate to the male basic wage.

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

3. OTHER EMPLOYEES.

Wages per Week of 40 Hours.

|   | Within a Radius of 50 Miles of G.P.O., Melbourne. | All Other Parts of Victoria. |
|---|---|------------------------------|
|   | Weekly Wage.                                      | Weekly Wage.                 |
|   | s. d.   | s. d.                        |
| Adult males—  |   |                              |
| First class watch case tradesman .. .. .            | 274 0   | 271 0                        |
| Second class watch case tradesman .. .. .           | 256 0   | 253 0                        |
| Loader and/or unloader of annealing furnace .. .. . | 262 0   | 259 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 twenty employees, 45s. per week extra.

HOURS OF WORK.

Day Workers.

4. (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 prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

Five-day Week.

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

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

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

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

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

## OVERTIME.

5. (a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first 4 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 8 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 8 consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had 8 consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such 8 consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had 8 consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

*Call Back.*

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

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

*Saturday Work—Five-day Week.*

(d) A day worker on a five-day week required to work overtime on a Saturday shall be afforded at least 3 hours work or paid for 3 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 6 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 20 minutes without deduction of pay after each 4 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 20 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 20 minutes.

*Tea Money.*

(i) An employee required to work overtime for more than 2 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.

## 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 fourteen 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 fourteen 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 6 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.

(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 4 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 7 (b) hereof.

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

*Compulsory Overtime.*

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

*Sundays and Holidays.*

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

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 8 of this Determination. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate; provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday 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 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.

**CONTRACT OF EMPLOYMENT.***Weekly Employment.*

7. (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.

**HOLIDAYS AND SUNDAY WORK.**

8. (a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays this provision shall apply only to the day so substituted, or such other day as is generally observed in the locality as a substitute for any of the said days respectively. Any employer who has given to his employees notice under paragraph (i) of sub-clause (m) of clause 10 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 6, 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.

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 or for maintaining the continuity of electric light and power (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 8 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 8 consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(d) Employees, other than on shift or engaged in maintaining the continuity of electric light and power, required to work on Sundays or public holidays or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays shall be paid for a minimum of 3 hours' work.

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

**SICK LEAVE.**

9. (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 4 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.*

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

*Seven-day Shift Workers.*

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

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

*Annual Leave Exclusive of Public Holidays.*

(c) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 8 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day, there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

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

*Broken Leave.*

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

*Calculation of Continuous Service.*

(e) For the 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 9 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 8 of this Determination.

*Payment for Period of Leave.*

(k) Each employee before going on leave shall be paid two week's 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 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 aforesaid.

*MIXED FUNCTIONS.*

11. 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.

*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.

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

13. (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<br>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 :—<br>1½ teaspoonsful 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.

*Tools.*

(b) 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 10 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.

*SHOP STEWARDS.*

14. 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.*

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

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

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

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

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

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

(Name of organization.)

THIS IS TO CERTIFY THAT  
above-named organization.

is a duly accredited representative of the

General Secretary.

(SEAL.)

Date—

Specimen signature of holder.  
Strictly not transferable.

TIME AND WAGES BOOK.

- 16. (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.

17. 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.

- 18. (a) "First Class Watch Case Tradesman" means an employee working at a bench and engaged in making complete cases which require hinges, and making by hand and fitting any special loop attachments.
- (b) "Second Class Watch Case Tradesman" means an employee other than one defined in sub-clause (a) hereof as a First Class Watch Case Tradesman.
- (c) "Experience" means work done in the trade of watch-case making for any employer whether as a junior or adult female worker.

PERIODICAL ADJUSTMENT OF WAGES.

19. The wages rates for males set out in clause 3 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 rate shall be automatically increased or decreased by the same amount and at the same time as such basic wage.

The basic wage for females shall be 75 per cent. of the male basic wage and adult female rates shall be adjusted from time to time by increasing or decreasing as the case may be such rates by the amount of the variation in the said basic wage for females.

The basic wage shown hereunder shall be adjusted as prescribed in clause 20.

BASIC WAGE.

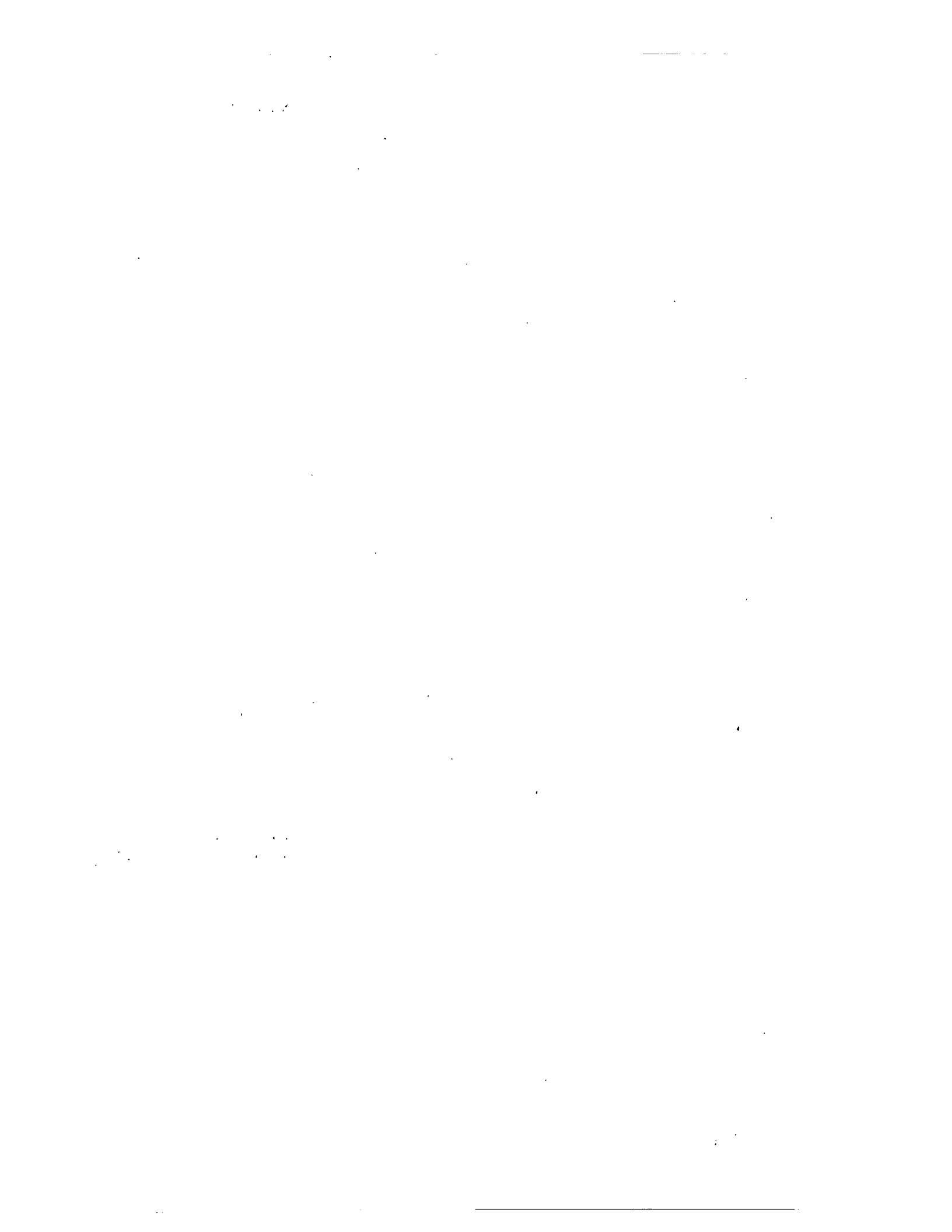
| Place.                       | Basic Wage (Adjustable). | Index Number Set Assigned. |
|------------------------------|--------------------------|----------------------------|
|                              | £ s. d.                  |                            |
| Throughout the State .. .. . | 11 14 0                  | Melbourne                  |

ADJUSTMENT OF BASIC WAGE.

- 20. (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 19.
- (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.

A. V. BARNS, J.P., Chairman.  
 J. W. RYAN, Secretary.

Melbourne, 1st December, 1954.





# VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, FEBRUARY 4.

[1955

*Labour and Industry Act 1953.*

## DETERMINATION OF THE TINSMITHS BOARD.

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

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

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

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

IN accordance with the provisions of the *Labour and Industry Act 1953*, the Wages Board which since the 7th February, 1938, has had the power to determine the lowest prices or rates which may be paid to any persons or classes of persons employed in the process trade or business of preparing or manufacturing articles made of tin plate or other metal, 10 gauge or lighter, including the japanning of such articles, but not including persons cutting patterns of boots, shoes, and slippers, or persons employed in the process trade or business of metal polishing, has made the following Determination, namely:—

1. That as from the 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.

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

WAGES—continued.

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

*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 twenty employees, 45s. per week extra.

*Ship Repairing.*

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

|                          |               |
|--------------------------|---------------|
| Tradesmen .. .. .        | s. d.         |
| All other labour .. .. . | 7 6 per week. |
|                          | 5 0 per week. |

APPRENTICESHIP.

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

*Apprenticeship Trades.*

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

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

*Period of Apprenticeship.*

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

*Contract of Apprenticeship.*

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

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

*Cancellation or Suspension of Indenture.*

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

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

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

*Instruction in Welding.*

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

*Proportion.*

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

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

In the trade of—

Welder—special class;

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

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

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

*Adult Apprentices.*

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

*Probationary Period.*

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

*Wages.*

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

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

(j) **WAGES PER WEEK OF 40 HOURS.**

|   | Percentage of Basic Wage. | 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.                  |
| <i>Four and Five-year Terms.</i>  |                           |  |              |                          |
| 1st year  | 32                        | 3 15 0   | 3 17 0       | 3 14 0                   |
| 2nd year  | 43                        | 5 0 6  | 5 3 6        | 4 19 6                   |
| 3rd year  | 54                        | 6 6 6  | 6 10 0       | 6 4 6                    |
| 4th year  | 83                        | 9 14 0   | 9 19 6       | 9 11 6                   |
| 5th year  | 100 plus 6s.              | 12 0 0   | 12 6 6       | 11 17 0                  |
| <i>Four-year Terms.—Apprentices Commencing after the Age of 17 Years.</i> |                           |  |              |                          |
| 1st year  | 34                        | 3 19 6   | 4 2 0        | 3 18 6                   |
| 2nd year  | 54                        | 6 6 6  | 6 10 0       | 6 4 6                    |
| 3rd year  | 83                        | 9 14 0   | 9 19 6       | 9 11 6                   |
| 4th year  | 100 plus 6s.              | 12 0 0   | 12 6 6       | 11 17 0                  |

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

*Hours.*

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

*Overtime and Shift Work.*

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

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

*Payment by Results.*

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

*Lost Time.*

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

*Prohibition of Premiums.*

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

*Attendance at Technical Schools.*

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

*Annual and Sick Leave.*

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

**FEMALES AND UNAPPRENTICED MALE JUNIORS.**

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

**WAGES PER WEEK OF 40 HOURS.**

|  | *Percentage of Basic Wage. | Margin.            | Total Wage Payable—  |              |                          |
|--|----------------------------|--------------------|--|--------------|--------------------------|
|  |                            |                    | Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool; and within Mildura and Gippsland Districts. | At Yallourn. | Other Parts of Victoria. |
|  |                            | s. d.              | £ s. d.  | £ s. d.      | £ s. d.                  |
| <i>I.—Adult Females.</i>   |                            |                    |  |              |                          |
| Under one month's experience .. .. .   | 75                         | ..                 | 8 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 24 of the Determination published in Government Gazette No. 311 of the 30th 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 24 hereof in lieu of the 16s. herein prescribed. |                            |                    |  |              |                          |
| <i>II.—Junior Females.</i>   |                            |                    |  |              |                          |
|  |                            | Additional Amount. |  |              |                          |
| 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.—Male Junior Labour.</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.

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

*Prohibited Occupations.*

- (b) Junior employees shall not be employed :—
  - (i) If under the age of 16 years—using electric arc or oxy-acetylene blow pipe; or
  - (ii) If under 18 years of age—die setting on power presses, or as operators of power driven guillotines.

**SPECIAL RATES.**

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

*Boiling-down Works.*

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

*Cold Places.*

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

*Confined Spaces.*

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

*Dirty Work.*

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

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



*Hot Places.*

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

*Lead Works.*

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

*Meat Digestors and Oil Tanks.*

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

*Sanitary Works.*

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

*Slag Wool.*

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

*Slaughtering Yards.*

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

*War Damaged Ships.*

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

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

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

*Wet Places.*

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

*Special Rates not Cumulative.*

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

*Rates not Subject to Penalty Additions.*

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

**TRAVELLING AND BOARD.**

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

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

(b) An employee—

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

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

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

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

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

- (i) All fares reasonably incurred.

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

- (ii) Reasonable expenses incurred whilst travelling, including 5s. for each meal taken.
- (iii) A reasonable allowance to cover the cost incurred for board and lodging.

(g) A camping allowance of 8s. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles or other temporary shelter is necessary; Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day, including Sunday.

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

#### HOURS OF WORK.

##### Day Workers.

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

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

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

##### Five-day Week.

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

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

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

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

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

#### EMERGENCY PROVISIONS.

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

(i) If by reason of such restriction or rationing or emergency disconnection he is unable usefully to employ an employee for the whole or part of any day or shift, he may deduct from the wages of that employee payment for any part of the day or shift such employee cannot be usefully employed provided that—

- (1) if an employer requires the employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours' work;
- (2) where an employee commences work he shall be entitled to be paid for four hours' work;
- (3) this sub-clause shall not apply to apprentices.

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

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

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

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

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

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

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

(iv) He may alter the time at which meal breaks are usefully taken and/or the duration of them, in order to avoid or mitigate the effects of such interference, without being liable to pay penalty rates for work done during the normal meal breaks; provided that the commencing time of any meal break is not made more than one hour earlier or later than usual and that a meal break of at least twenty minutes is allowed; and provided also that the employer shall, whenever it is practicable, consult with the representative of the Union or Unions before acting under this paragraph.

(b) Notwithstanding anything elsewhere contained in this Determination, the provisions of this clause shall also apply (*mutatis mutandis*) in the case of an employer who uses auxiliary power plant for the purpose of providing employment for his employees whilst such restriction or rationing or emergency disconnection is in force and who—

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

## SHIFT WORK.

*Definitions.*

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

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

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

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

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

*Hours—Continuous Work Shifts.*

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

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

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

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

*Hours—Other than Continuous Work.*

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

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

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

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

*Rosters.*

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

*Variation by Agreement.*

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

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

*Afternoon or Night Shift Allowances.*

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

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

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

An employee who—

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

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

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

*Overtime.*

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

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

except in each case when the time is worked—

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

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

(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.*

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

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

*Junior and Female Employees.*

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

*MIXED FUNCTIONS.*

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

*OVERTIME.*

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

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

*Rest Period after Overtime.*

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

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

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

*Call Back.*

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

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

*Saturday Work—Five-day Week.*

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

*Standing By.*

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

*Meal Hours—General.*

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

*Meal Hours—Maintenance Employees.*

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

*Crib Time.*

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

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

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

*Tea Money.*

(i) An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 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.**

11. (a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this provision shall apply only to the day so substituted.

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

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

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

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

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

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

**EXTRA RATES NOT CUMULATIVE.**

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

**PAYMENT OF WAGES.**

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

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

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

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

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

**CONTRACT OF EMPLOYMENT.***Weekly Employment.*

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

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

*Casual Employment.*

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

*Late Comers.*

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

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

**SICK LEAVE.**

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

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

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

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

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

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

*Single Day Absences.*

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

*Cumulative Sick Leave.*

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

*Attendance at Hospital, &c.*

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

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

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

*Seven-day Shift Workers.*

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

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

*Annual Leave Exclusive of Public Holidays.*

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

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

*Broken Leave.*

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

*Calculation of Continuous Service.*

(e) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

- (i) any interruption or termination of the employment by the employer if such interruption or termination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 15 shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

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

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

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

*Calculation of Service.*

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

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

*Calculation of Month.*

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

*Leave to be Taken.*

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

*Time of Taking Leave.*

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

*Leave Allowed Before Due Date.*

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

Where leave has been granted to an employee pursuant to this sub-clause before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each one complete month of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-twelfth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by clause 11 of this Determination.

*Payment for Period of Leave.*

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

*Proportionate Leave on Dismissal.*

(l) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for  $6\frac{1}{2}$  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.*

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

*Drinking Water.*

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

*First-aid Outfit.*

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

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:—<br>1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water | 1 pint                                    |
| Pins, safety .. .. .   | 1 packet                                  |
| Sal volatile .. .. .   | 6 oz.                                     |
| Scissors .. .. .   | 1 pair                                    |
| Tourniquet .. .. .   | 1   |
| Tweezers .. .. .   | 1 pair                                    |
| Cotton, absorbent .. .. .  | An adequate assortment                    |
| Gauze, sterilized, plain .. .. .   |   |
| Lint, absorbent .. .. .  |   |
| Plaster, adhesive .. .. .  |   |

*Lockers.*

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

*Washing and Sanitary Conveniences.*

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

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

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

*Gloves.*

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

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

*Goggles.*

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

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

*Masks.*

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

*Protective Clothing—Galvanising, &c.*

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

*Protective Equipment—Welding.*

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

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

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

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

*Tools.*

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

*Females—Rest Period and Seats.*

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

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

*Ventilation.*

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

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

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

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

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

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

*SHOP STEWARDS.*

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

*RIGHT OF ENTRY OF UNION OFFICIALS.*

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

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (ii) That he interviews employees only at places where they are taking their meal.
- (iii) That not more than one representative of each of not more than three unions be on the premises at any one time.
- (iv) That no one representative visit the premises more than once in each week.

(v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry.



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

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

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

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

(Name of organization.)

This is to certify that \_\_\_\_\_ is a duly accredited representative of the above-named organization.

General Secretary.

Date—

(SEAL)

Specimen signature of holder—  
Strictly not transferable.

#### TIME AND WAGES BOOK.

20. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed: Provided also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

#### NOTICE BOARD.

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

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

#### DEFINITIONS.

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

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

"Process worker" means an employee engaged on:—

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

"Ship repairs" means:—

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

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

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

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

#### Welding.

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

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

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

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

#### Sheet Metal.

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

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

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

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

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

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

PERIODICAL ADJUSTMENT OF WAGES.

23. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of section 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 proscribed by clause 24.

*Basic Wage.*

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

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

(b) Until the beginning of the first pay period to commence in February, 1955, the amount of the basic wage shall be as prescribed in clause 23.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all item" retail price index number by the factor .103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

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

| Classification.  | Margin. |
|--|---------|
|  | s. d.   |
| <i>(a) Sheet Metal Section.</i>  |         |
| Sheet metal worker (1st class) .. .. .   | 75 0    |
| Sheet metal worker (2nd class) .. .. .   | 50 0    |
| Spinner—1st class .. .. .  | 60 0    |
| Spinner, other .. .. .   | 30 0    |
| Die setter .. .. .   | 30 0    |
| Die setter—press operator working from blue prints or plans .. .. .  | 50 0    |
| Press operator (heavy) .. .. .   | 25 0    |
| Press operator (light) .. .. .   | 22 0    |
| Solderer and dipper .. .. .  | 25 0    |
| Drop hammer stamper .. .. .  | 25 0    |
| Guillotine operator (as defined) .. .. .   | 50 0    |
| Guillotine operator (other) .. .. .  | 22 0    |
| Guttering machinist .. .. .  | 22 0    |
| Power machinist (not otherwise specified) .. .. .  | 22 0    |
| Spray painter (on both prime and finishing coat) .. .. .   | 40 0    |
| Spray painter (on one coat work) .. .. .   | 30 0    |
| <i>(b) Welding Division.</i>   |         |
| Welder—  |         |
| 1st class .. .. .  | 75 0    |
| 2nd class .. .. .  | 35 0    |
| 3rd class .. .. .  | 25 0    |
| Tack welder .. .. .  | 30 0    |
| Welder special class (as defined) .. .. .  | 82 6    |
| <i>(c) Canister-making.</i>  |         |
| Die setter and/or machine setter and/or leading press hand .. .. .   | 30 0    |
| Canister-maker by hand and riveter by hand .. .. .   | 30 0    |
| Solderer and dipper .. .. .  | 22 0    |
| Canister vent closer and solderer working on tins containing substances with an artificial temperature of 150° F. and over .. .. . | 30 0    |
| Operator of power capping machines or metal pots on automatic machines .. .. .   | 25 0    |
| Operator of other power presses and other power machines .. .. .   | 22 0    |
| Cap solderer (not otherwise classified) .. .. .  | 22 0    |
| <i>(d) Galvanizing.</i>  |         |
| Galvanizer .. .. .   | 47 6    |
| Tinner and grease tinner .. .. .   | 47 6    |
| Assistant working over metal pot .. .. .   | 25 0    |
| Pickler .. .. .  | 23 0    |
| All others in this Division .. .. .  | 19 0    |

| Classification.  | Margin. |
|--|---------|
| <i>(e) Painting and Japanning.</i>   |         |
| Artistic japanner and goldworker .. .. .   | 50 0    |
| Spray operator .. .. .   | 30 0    |
| Grainer, liner, and filliter .. .. .   | 22 0    |
| Painter and lacquerer .. .. .  | 22 0    |
| Dipper .. .. .   | 22 0    |
| <i>(f) Porcelain Enamelling.</i>   |         |
| Fuser .. .. .  | 45 0    |
| Fuser on medallions, badges, or buckles .. .. .  | 22 0    |
| Inspector—1st class (i.e., one who inspects finished enamel work as to quality) .. .. .          | 23 0    |
| Inspector (other) .. .. .  | 20 0    |
| Mill hand and mixer .. .. .  | 23 0    |
| Packer and despatcher .. .. .  | 27 6    |
| Pickler .. .. .  | 23 0    |
| Rackman .. .. .  | 18 6    |
| Sand and shot blaster .. .. .  | 47 6    |
| Sprayer .. .. .  | 25 0    |
| Swiller, gripper, and brusher .. .. .  | 22 0    |
| Other employees with not less than three months' experience in the metal trades industry .. .. . | 9 0     |
| Employee not elsewhere classified in any Division .. .. .  | 3 0     |
| <i>(g) General.</i>  |         |
| Process worker .. .. .   | 22 0    |
| Tool and/or material storeman (as defined) .. .. .   | 27 6    |
| Storeman and/or packer .. .. .   | 27 6    |

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

J. W. RYAN, Secretary.

Melbourne, 1st December, 1954.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document then goes on to describe the various methods and techniques used to collect and analyze data, highlighting the importance of using reliable sources and ensuring the accuracy of the information collected.

The second part of the document focuses on the analysis of the data collected. It discusses the various statistical methods and techniques used to interpret the data and draw meaningful conclusions. The document also emphasizes the importance of using appropriate statistical tests and ensuring that the results are presented in a clear and concise manner. Finally, the document concludes by discussing the implications of the findings and the need for further research in this area.



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 35

FRIDAY, FEBRUARY 4.

[1955

*Labour and Industry Act 1953.*

## DETERMINATION OF THE SPORTS GROUND MAINTENANCE BOARD.

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

(2) By Order in Council dated the 13th September, 1947, the Garden Employees Board was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed:—

- (a) in the laying-out, cultivation or keeping in order of a fairway or green in connexion with any golf links or putting green;
- (b) in the laying out, cultivation or keeping in order of a bowling green or tennis court;
- (c) at work connected with or incidental to the construction or maintenance or keeping in order of brick dust or porous tennis courts;
- (d) at work connected with or incidental to the construction, formation, maintenance or keeping in order of grounds or enclosures used in the business of conducting for gain outdoor entertainments, outdoor shows, outdoor sports meetings or outdoor amusements of any kind;

and such power was conferred exclusively on the Sports Ground Maintenance Board.

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) employed in or in connexion with the construction, ornamentation, formation, maintenance or keeping in order of grounds or enclosures used in conducting outdoor entertainments, outdoor shows, outdoor sports or outdoor amusements of any kind", has made the following Determination, namely:

1. That on the 7th December, 1954, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

| Apprentices or Improvers. | Percentage of Basic Wage. | Wages per Week of |
|---------------------------|---------------------------|-------------------|
|                           |                           | 40 Hours.         |
|                           |                           | s. d.             |
| 15 years of age or under  | 29                        | 68 0              |
| 16 years of age           | 32                        | 75 0              |
| 17 years of age           | 37                        | 86 6              |
| 18 years of age           | 51                        | 119 6             |
| 19 years of age           | 61                        | 142 6             |
| 20 years of age           | 73                        | 171 0             |

### PROPORTION (WITHIN ANY PLACE).

One apprentice to every three or fraction of three workers receiving not less than the minimum wage.

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

| Other Employees.   | Wages per Week of<br>40 Hours. |
|--|--------------------------------|
|  | £ s. d.                        |
| <b>Racecourses—</b>  |                                |
| Leading hand, i.e., a person in charge of three or more employees .. .. .  | 13 14 0                        |
| Groundsman or maintenance employee .. .. .   | 12 19 0                        |
| All others .. .. .   | 12 14 0                        |
| <b>Golf Links, Bowling Greens, Croquet Greens and Grass Tennis Courts—</b>   |                                |
| Green-keeper, i.e., a person engaged as such and who is responsible for the care, alignment, maintenance and satisfactory condition of a playing area or areas .. .. .                                   | 14 4 0                         |
| Assistant green-keeper, i.e., a person engaged as such or is required to perform the duties of a green-keeper .. .. .  | 13 9 0                         |
| Groundsman or maintenance employee .. .. .   | 12 14 0                        |
| All others .. .. .   | 12 11 6                        |
| <b>Other Tennis Courts, Cricket Grounds, Football Grounds or other grounds or enclosures used in conducting outdoor entertainments, outdoor shows, outdoor sports or outdoor amusements of any kind—</b> |                                |
| Curator, i.e., a person engaged as such and who is responsible for the care, alignment, maintenance, and satisfactory condition of a playing area or areas and/or Turf Wickets .. .. .                   | 14 4 0                         |
| Assistant curator, i.e., a person engaged as such or is required to perform the duties of a curator .. .. .  | 13 9 0                         |
| Groundsman or maintenance employee .. .. .   | 12 19 0                        |
| All others .. .. .   | 12 14 0                        |

Any employee, other than a curator or assistant curator, required to take charge of 2 or more employees, shall be paid an additional amount of 1s. 6d. per day or part thereof.

**EXTRA RATES.**

3. (i) Where no assistant is engaged, a curator or green-keeper, in charge of 4 or more employees, shall be paid an additional 10s. per week.
- (ii) Any employee other than a curator or green-keeper on racecourses, golf links, tennis courts, football grounds or show-grounds whose regular duty is to attend, maintain, adjust, and/or operate motor mowers shall receive an additional amount of 5s. per week.
- (iii) Any employee other than a curator or green-keeper operating a power-driven appliance, other than a motor mower, on a racecourse, cricket ground, football ground, showground or golf links, shall receive an additional amount of 3s. per day or part thereof.

**CASUAL EMPLOYEES.**

4. (a) A casual employee i.e., an employee, other than an employee under sub-clause (b) hereof, engaged for less than 40 hours per week shall be paid at the rate of time and a third for the first 20 hours and ordinary rate thereafter up to but not exceeding the rate fixed for a full week's work.
- (b) A casual employee engaged to clear up debris at the Melbourne Cricket Ground after functions or fixtures of two days' duration or more shall be paid time and a third, and the provisions of clauses 6 and 7 hereof shall not apply.

**HOURS FOR AN ORDINARY WEEK'S WORK.**

5. The number of hours to constitute an ordinary week's work shall be 40 which may be worked in either 5 or 5½ days.

**TIMES OF BEGINNING AND ENDING WORK.**

6. The times of beginning and ending work shall be the times mutually agreed upon between the employer and the employee and falling agreement, shall be as follows:—

| Time of Beginning<br>(not earlier than). | Time of Ending<br>(not later than).   |
|--|---|
| <b>Bowling Greens—</b>                   |   |
| 7.30 a.m. .. .. .                        | 12 noon on Saturday (or the day on which the half-holiday is observed locally); |
| 7.30 a.m. .. .. .                        | 7.30 p.m. on the other working days of the week.                                |
| <b>Any other Place—</b>                  |   |
| 7.30 a.m. .. .. .                        | 12 noon on Saturday (or the day on which the half-holiday is observed locally); |
| 7.30 a.m. .. .. .                        | 5.30 p.m. on the other working days of the week.                                |

Provided that the hours once fixed shall not be altered without at least seven days' notice.

**OVERTIME.**

*Bowling Greens.*

7. (i) All time worked outside a spread of twelve hours per day shall be paid for at the rate of double time, provided that time occupied at watering shall be paid for at the rate of time and a half.
- (ii) All time worked within a spread of twelve hours in excess of 40 hours per week shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

*Any Other Place.*

- (i) All time worked outside the times of beginning and ending work shall be paid for at the rate of time and half for the first two hours and double time thereafter.
- (ii) All time worked within the times of beginning and ending work in excess of 40 hours per week shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

**STAND DOWN.**

*(Bowling Greens.)*

8. An employee shall not be stood down for more than ten hours in the aggregate in any one week.

**HOLIDAYS AND SPECIAL RATES.**

9. All employees shall be entitled to the following holidays without deduction of pay:—

New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Melbourne Cup 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 condition shall apply only to the day so substituted. Provided that if any of these holidays occur on a Sunday or other non-working day, an additional day for each such holiday occurring as aforesaid shall be added to the employee's annual leave.

If an employee works on any of the holidays mentioned herein or any day or days by Act of Parliament or Proclamation substituted for such holidays he shall be paid time and a half in addition to his ordinary pay, or if the employee so elects, an extra day and a half shall be added to his annual leave.

## SPECIAL RATES FOR SUNDAYS.

10. All work done on Sunday shall be paid for at double time.

## NIGHT WATERING (OTHER THAN BOWLING GREENS).

11. (a) Employees required to do night watering, i.e., outside the times of beginning and ending work shall be paid at the rate of time and a half.

(b) No employee shall be called upon to do night watering without a clear break off duty of at least four hours.

## PROVISIONS OF CLOTHING, ETC.

12. (a) The employee shall be provided with the following, free of charge, by the employer.

(i) Oilskins, gum boots, or other protective clothing, when called upon to work in the rain.

(ii) Gum boots, gloves, overalls and goggles, when required to distribute fertilizer or employed on spraying.

(iii) Gum boots when required to hose down.

(b) When gum boots are used they shall be washed and sterilized if required to be used by any other person.

## MEAL BREAKS.

13. A period of not less than three quarters of an hour, not later than four hours after commencing work, shall be allowed for a meal.

## MEAL ALLOWANCE.

14. Any employee required to work overtime for more than one hour without being notified the day before that he would be so required to work, shall either be provided with a meal by the employer or paid the sum of 4s. 6d.

If having been notified accordingly and the employee has provided himself with a meal, and such overtime is not worked, he shall be allowed the sum of 4s. 6d.

## ANNUAL HOLIDAYS.

15. 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.

## SICK LEAVE.

16. (a) If the absence from duty of an employee be reasonable because of his own illness, and he produces to the employer satisfactory evidence thereof, by medical certificate or otherwise, no deduction shall be made in respect of such absence except so far as it exceeds in the aggregate forty hours of working time during any one year of employment or a proportionately less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding 160 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

## RIGHT OF ENTRY OF UNION OFFICIALS.

17. A duly accredited officer of the Australian Workers' Union who is authorized in writing by the President or Secretary of such Union, shall have the right to interview any employee during the meal hour or such other time as may be approved by the employer or his representative, at the place of his employment on legitimate union business and shall be permitted to inspect the conditions relating to the persons employed.

## TERMS OF ENGAGEMENT.

18. Employees, other than casuals, shall be employed by the week and their engagement shall only be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture, as the case may be, of one week's wages in lieu thereof. 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.

## PAYMENT OF WAGES.

19. Wages shall be paid on a fixed day, not later than Thursday of each week and during the employees' normal working hours.

## TIME BOOK OR RECORD.

20. Every employee shall record daily the correct time of work on a time sheet or record which shall be furnished by the employer. Such time sheet or record shall be produced by the employer or his agent for inspection during reasonable hours to the Secretary of the Australian Workers' Union or any official thereof duly authorized in writing by the President or Secretary of the aforesaid Union.

## FIRST-AID OUTFIT.

21. A first-aid outfit shall be provided by the employer at a place readily accessible to all employees.

## PROVISION OF QUARTERS.

22. Where an employee is required to live on the premises and is required to act as caretaker he shall be provided with quarters free of charge.

## EMPLOYEE REPORTING FOR WORK AND NOT ALLOWED TO START.

23. An employee who reports for work and is not allowed to start shall be paid for four hours' work at the appropriate rates.

## MIXED DUTIES.

24. An employee who is required to do work for which a higher rate is fixed than that provided for his ordinary duties shall, if such work exceeds a total of four hours on any day, be entitled to be paid for all work done on such day at the higher rate.

## LOCKERS, DINING AND WASHING FACILITIES.

25. Where practicable, suitable lockers, dining and washing facilities shall be provided for the use of employees.

## SANITARY ACCOMMODATION.

26. The employer shall provide suitable sanitary conveniences on the job and have same maintained in a clean condition.

## BICYCLE ALLOWANCE.

27. An employee instructed by the employer or his representative to use his own bicycle in the course of his duties shall be paid an amount of 2s. 6d. per week in addition to his ordinary rate.

PULLING HEAVY ROLLERS.

28. No employee shall be called upon to push or draw a roller exceeding 5 cwt. on cricket grounds unless granted necessary assistance.

PERIODICAL ADJUSTMENT OF WAGES.

29. The wages for adults set out in clause 2 are based upon the following basic wage, 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 as prescribed by clause 30.

BASIC WAGE.

| Place.               | Basic Wage (Adjustable). | Index Number Set Assigned. |
|----------------------|--------------------------|----------------------------|
|                      | £ s. d.                  |                            |
| Throughout the State | 11 14 0                  | Melbourne                  |

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in February, 1955, the amount of the Basic Wage shall be as prescribed in clause 29.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor 103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach 5 or more the basic wage shall be taken to the next higher shilling.

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

P. A. RANDES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 7th December, 1954.





# VICTORIA GOVERNMENT GAZETTE.

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No. 36]

FRIDAY, FEBRUARY 4.

[1955

*Labour and Industry Act 1953.*

## DETERMINATION OF THE FIBROUS PLASTERERS BOARD.

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

(ii.) Fibrous Plastering was proclaimed on 17th February, 1937, as an Apprenticeship Trade under the *Apprenticeship Act 1928* for the Metropolitan District.

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

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

- (a) manufacturing fibrous plaster, or making architectural ornaments of fibrous plaster, plaster, or cement;
- (b) fixing fibrous plaster on walls or ceilings of buildings;
- (c) architectural modelling;
- (d) preparing material for or making or fixing acoustic tiles moulded into slab form, and having an earth base;
- (e) manufacturing gypsum plaster board;
- (f) fixing gypsum plaster board on walls or ceilings of buildings."

has made the following Determination, namely:—

A. That as from the beginning of the first pay period to commence on or after the 28th December, 1954, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### PART I.

B. This Part applies to persons other than those employed inside the employer's factory or workroom manufacturing gypsum plaster board or assisting at any of the operations associated therewith.

### WAGES.

• Apprentices and Improvers.

The wages of Apprentices and Improvers covered by this Determination shall be the same as those prescribed and adjusted from time to time for Apprentices within the Metropolitan District under the jurisdiction of the *Apprenticeship Commission*.

### PROPORTION (by any employer).

| Apprentices.   | Improvers.  |
|--|---|
| One apprentice to every three or fraction of three workers receiving not less than 345s. per week. | (i) Preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base—<br>One improver to every three workers receiving not less than 345s. per week.<br>(ii) Any other class of work—<br>One improver to every six workers receiving not less than 345s. per week. |

\* Except those covered by the *Apprenticeship Commission*.

No person under the age of 18 years shall be employed on a single bench in the manufacture of plain fibrous plaster sheeting unless in association with a person over 18 years of age.

No person under the age of 18 years shall be employed operating a hemp teasing machine in a fibrous plaster mill.

No person under the age of 18 years shall be employed with only one adult worker in the process of lifting or fixing panelling or sheeting having an area of 4 square yards or more.

The Board has determined that no person shall be taken as an apprentice in connexion with preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base.

| OTHER EMPLOYEES.   | WAGES PER WEEK OF 40 HOURS. |                    |                    |
|--|-----------------------------|--------------------|--------------------|
|  | Adjustable Rate.            | Holiday Allowance. | Total Weekly Wage. |
|  | A.                          | B.                 |                    |
|  | <i>s. d.</i>                | <i>s. d.</i>       | <i>s. d.</i>       |
| Persons engaged in architectural modelling or manufacturing architectural ornaments of fibrous plaster, plaster or cement, or manufacturing fibrous plaster .. | .. 332 3                    | 12 9               | 345 0              |
| Persons engaged fixing or stopping fibrous plaster or gypsum plaster board on walls or ceilings of buildings .. .. .   | .. 266 11                   | 10 3               | 277 2              |
| Persons engaged in preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base .. .. .                           |                             |                    |                    |
| All others .. .. .   |                             |                    |                    |

EXTRA RATES.

2. (a) Foremen, i.e., employees in charge of work and who issue instructions to four or more men under them shall be paid as above with 9s. per week additional.
- (b) Employees { (i) Demolishing old ceilings, or .. .. . } shall, whilst employed at either class of work  
 { (ii) Erecting new ceilings on sites of old ceilings that have been demolished, or partly demolished or that have collapsed .. .. . } have 6d. per square yard distributed equally between them, in addition to the ordinary rates.  
 { (iii) Employees demolishing or partly demolishing old walls shall have 1½d. per square yard distributed equally between them in addition to the ordinary rates.

PRO RATA PAYMENT.

3. Any person who works less than 40 hours in any week shall be paid not less than the ordinary wages rate calculated pro rata according to the number of hours worked.

HOURS.

4. The ordinary hours shall be 40 per week to be worked in five days of eight hours each, on Monday to Friday inclusive, between the hours of 8 a.m. and 5 p.m. The lunch break shall be not less than one hour.

OVERTIME.

5. The following rate shall be paid for all work done—
- (a) Outside the hours fixed in clause 4 of this Part }  
 (b) Within the hours fixed in clause 4 of this Part } Time and a half for the first two hours and thereafter double time.  
 in excess of 40 in any week .. .. . }
- An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

ALLOWANCES.

6. The following allowances shall be paid to persons employed outside the employer's usual place of business in connexion with fixing of fibrous plaster, gypsum plaster board, or acoustic tiles :—
- (a) For work at a distance of over 30 miles from the "Centre" or for work done at such distance as prevents the employee from returning to his home the same night—
- (i) £1 per day extra, with a maximum of £5 per week.  
 (ii) all fares necessarily incurred in travelling by the most economical means of transport by train or other public conveyance.
- (b) For any other work an allowance in lieu of fares and travelling time from and to the "Centre" to and from the place of employment shall be paid as follows :—
- |  |              |
|--|--------------|
|  | <i>s. d.</i> |
| Up to and including 12 miles .. .. .         | 3 3 per day  |
| Over 12 miles and including 20 miles .. .. . | 3 10 per day |
| Over 20 miles and including 30 miles .. .. . | 4 6 per day  |
- These allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 2s. 5d. per day travelling allowance shall be paid.
- "Centre" shall mean the Flinders-street Railway Station if the employer's usual place of business is within a radius of 10 miles therefrom, and shall, in all other cases, mean the employer's usual place of business.

MEAL MONEY.

7. Any employee who is required to work overtime for more than two hours on any day and who has not been notified on the previous day that he would be required to work such overtime shall, unless provided with a reasonable meal by the employer, be paid an allowance of 5s. 6d.

SPECIAL RATES.

8. (a) Allowances, as per columns B of clause 1 of this Part, shall be made in addition to the wages set out in columns A of clause 1 of this Part as compensation for time lost on prescribed holidays. Such allowances shall be paid proportionately to the number of hours worked per week.
- (b) For all work done on Sundays and prescribed holidays employees shall be paid at the rate of double time; and all work done on a Saturday shall be paid for at the rate of time and a half for the first two hours and double time thereafter.
- The following are the prescribed holidays, viz. :—New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Melbourne Cup 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 double time shall be payable only for work done on the day so substituted.



## 2. HOURS OF WORK.

## (a) Day Workers.

The ordinary hours of work shall be 40 per week to be worked in five days of 8 hours each, Monday to Friday inclusive, between 8 a.m. and 5 p.m. It is a condition of the allowing of a five day week 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.

## (b) Shift Workers on a two shift system.

The ordinary hours of such shift workers shall not exceed—

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

## (c) Shift Workers on a three shift system.

The ordinary hours of employees on a three shift system shall not exceed 8 hours per day, or 40 per week, or where the shifts are rostered over two weeks 80 hours in two consecutive weeks, or where the shifts are rostered over three weeks 120 hours in three consecutive weeks, without payment for overtime. Where the roster provides for three shifts of 8 hours being worked in five days a week the commencing time of the first shift shall be 10.30 p.m. Sunday or at some other hour as may be agreed upon between the employer and the Union.

## (d) Shifts to be worked in weekly rotation.

All shifts shall be worked by employees in weekly rotation, otherwise time worked by an employee on afternoon and/or night shift shall be paid for at overtime rates. Provided that by agreement between the employer and the Union the weekly rotation may be dispensed with, or overtime rates need not be paid if the ordinary working hours of an employee do not exceed the hours prescribed in sub-clause (a) of this clause.

## (e) Roster to be exhibited.

A roster showing the starting and finishing times of the employees shall be exhibited in a prominent place, accessible to the employees.

## OVERTIME.

3. (a) All time worked before the usual starting time or after the usual finishing time, or in excess of the hours prescribed in clause 2 of this Part shall be paid for at the rate of time and a half for the first two hours and double time thereafter. For the purpose of computing overtime each day's work shall stand alone, and all overtime shall be paid for not later than the next following pay day.

(b) Any employee recalled to work after having left the premises shall be paid a minimum as for four hours' work at the appropriate rate.

## HOLIDAYS.

4. An employee shall be entitled to be absent without deduction of pay on the days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, 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 rates shall be payable only for work done on the day so substituted.

## SUNDAY AND HOLIDAY WORK.

5. All time worked on a Sunday or holiday shall be paid for at double ordinary rates of pay, provided that time worked by a shift worker between the usual starting time of the shift and midnight on any Sunday or holiday shall not be deemed to be time worked on the Sunday or holiday: Provided further that where the major portion of a shift is worked on a Sunday or holiday the whole of that shift shall be regarded as having been worked on the Sunday or holiday and paid for as such.

## SICK LEAVE.

6. (a) Any employee who, having had at least three month's service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) During the first year—3½ hours' ordinary pay for each complete month of service;
- (ii) During any subsequent year of service—40 hours' ordinary pay.

Provided that, in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1949, shall be disregarded provided that any cumulated sick leave not exceeding 120 hours standing to the credit of the employee on the 1st May, 1952, shall not be reduced by virtue of the provisions of this sub-clause and provided further that no employer shall terminate the service of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

## MEALS.

7. (a) A day worker shall be allowed a break of not less than half an hour or more than one hour for a meal on each day of the week, Monday to Friday inclusive. The period during which such meal shall be taken when once fixed shall not be altered without seven days' notice being given by the employer to his employees.

(b) Any employee called upon to work during the ordinary meal break shall be paid overtime rates for all such time worked, provided that in the case of emergency, where it is necessary to work up to fifteen minutes after the usual ceasing time for lunch, this provision shall not apply.

- (c) In the event of any employee being allowed a period of less than thirty minutes for the purpose of having a meal, no deduction shall be made for time so spent by the employee in having a meal.
- (d) A shift worker shall be allowed 20 minutes each shift for crib which shall be counted as time worked: Provided that if requested by the employer the employees shall take their crib in relays so as to avoid stoppage of work.
- (e) An employer shall provide the employees with a suitable place, protected from the weather, in which to take their meals.
- (f) Employees shall be provided with boiling water or facilities for same.

MEAL ALLOWANCE.

8. Where an employee is required to work overtime in excess of one hour on any day, he shall be paid 3s. 6d. for a meal unless notice to work has been given to such employee on or before the termination of the previous day's work. If notified the previous day that he will be required to work, and he is subsequently informed that he is not required, he shall be paid the sum of 3s. 6d.

PROTECTIVE AIDS.

9. Where necessary employees shall be supplied by the employer with respirators and hand pads.

ANNUAL HOLIDAY.

10. 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.

MIXED FUNCTIONS.

11. An employee engaged for more than two hours on any day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift.

Any employee may be called upon to relieve for periods which do not exceed two hours in any one day or shift and be paid at the rate prescribed for his ordinary classification.

An employee who is required temporarily to perform work for which a lower rate is fixed than that for his ordinary classification shall not suffer any reduction whilst so employed. Provided that any work of less than one week's duration shall be deemed to be temporary.

TIME AND PAYMENT OF WAGES.

12. (a) All wages and overtime shall be paid not later than Thursday in each week. The employer may hold not more than one day's pay in hand.

(b) Where the employment is terminated by the employer, or by the employee after giving one week's notice, before the regular pay time the employee shall be paid all moneys due to him not later than five minutes after the termination of the work.

TERMINATION OF EMPLOYMENT.

13. The employment of an employee may be terminated only by one week's notice or the payment or forfeiture of one week's wages in lieu thereof, provided that the employer may dismiss an employee at any time for misconduct or wilful disobedience and shall be liable for payment only up to the time of dismissal.

GENERAL CONDITIONS.

14. (a) Suitable lavatory accommodation, dressing rooms, and lockers to ensure protection for clothes left therein, shall be provided by the employer for the employees.

(b) Hot and cold showers shall be provided by the employer.

DEFINITION.

15. "Union" means "The Victorian Fibrous Plasterers and Plaster Workers' Union."

STANDING DOWN EMPLOYEES.

16. Notwithstanding any provision elsewhere herein contained any employer may deduct payment for any day an employee cannot usefully be employed because of any strike or any stoppage of work by any cause for which the employer cannot be held responsible.

PART III.

D. This Part applies to all persons covered by this Determination.

PERIODICAL ADJUSTMENT OF WAGES.

1. The adult wages rates set out in clause 1 of Part I., and clause 1 of Part II., 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 2 of this Part.

Basic Wage.

| Place.                      | Basic Wage (Adjustable). | Index Number Set Assigned. |
|-----------------------------|--------------------------|----------------------------|
| Throughout the State.. .. . | £ s. d.<br>11 14 0       | Melbourne                  |

## ADJUSTMENT OF BASIC WAGE.

2. (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 1 of this Part.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor  $\cdot 103$  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.

3. The holiday allowances in clause 1 of Part I. shall be  $1/26$ th of the corresponding adjustable rates calculated to the nearest penny, half or less than half of a penny in a result to be disregarded.

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

J. W. RYAN, Secretary

Melbourne, 22nd December, 1954.



# VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, FEBRUARY 4.

[1955

*Labour and Industry Act 1953.*

## DETERMINATION OF THE WHARFS AND JETTIES BOARD.

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

IN accordance with the provisions of the *Labour and Industry Acts 1953*, the Wages Board, which now has the power to "determine the lowest prices or rates which may be paid to any persons employed in the trade of constructing or demolishing wooden or concrete wharfs, piers, or jetties," has made the following Determination, namely:—

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

### 2. (a) APPRENTICES AND IMPROVERS.

| Wages.                |                           |              |               |              | PROPORTION (in any place).   |
|-----------------------|---------------------------|--------------|---------------|--------------|--|
| —                     | Percentage of Basic Wage. | Rate.        | Plus Loading. | Total Wage.  |  |
|                       |                           | <i>s. d.</i> | <i>s. d.</i>  | <i>s. d.</i> |  |
| Under 16 years of age | 35                        | 82 0         | 2 0           | 84 0         | <p style="text-align: center;"><i>Apprentices.</i></p> <p>One apprentice to every three or fraction of three workers receiving not less than 257s. per week.</p> <p style="text-align: center;"><i>Improvers.</i></p> <p>Three improvers to every four or fraction of four workers receiving not less than 257s. per week.</p> |
| " 17 " "              | 45                        | 105 6        | 2 6           | 108 0        |  |
| " 18 " "              | 54                        | 126 6        | 3 0           | 129 6        |  |
| " 19 " "              | 68                        | 159 0        | 3 9           | 162 9        |  |
| " 20 " "              | 79                        | 185 0        | 4 6           | 189 6        |  |
| " 21 " "              | 92                        | 215 6        | 5 3           | 220 9        |  |

### (b) OTHER EMPLOYEES.

| —  | WAGES.         |                  |                |
|--|----------------|------------------|----------------|
|  | Day Work.      |                  |                |
|  | Rate.          | Special Loading. | Total Wage.    |
|  | <i>£ s. d.</i> | <i>s. d.</i>     | <i>£ s. d.</i> |
| Leading hand, i.e., a person in charge of not less than—   |                |                  |                |
| (a) three nor more than ten employees .. .. .  | 14 19 3        | 17 8             | 15 16 11       |
| (b) eleven nor more than fifteen employees .. .. .   | 15 9 3         | 17 8             | 16 6 11        |
| Pile-driver .. .. .  | 15 12 0        | 17 8             | 16 9 8         |
| Pile-driver's offsider .. .. .   | 13 9 0         | 9 7              | 13 18 7        |
| Wharf carpenters, employed on cross heads, beams, walings, transoms, kerbings, capping and bollards, braces or lower walings, decking, marginal or stepping decking, fenders, tie beams, trimmers, ladders and steps, platforms for points and approaches thereto, boat landings, ring bolts, mooring hooks, mooring piles, beacons, fencing, pile-pointing, pile-ringing, form work for concrete construction, or fitting and fastening all angle iron for waterways.. .. . | 15 7 3         | 17 8             | 16 4 11        |

## OTHER EMPLOYEES—continued.

|  | WAGES.    |                  |             |
|--|-----------|------------------|-------------|
|  | Day Work. |                  |             |
|  | Rate.     | Special Loading. | Total Wage. |
|  | £ s. d.   | s. d.            | £ s. d.     |
| Oxy acetylene burner on demolition work .. .. .                | 15 4 6    | 17 8             | 16 2 2      |
| Saw sharpener .. .. .  | 15 2 9    | 17 8             | 16 0 5      |
| Machine borer .. .. .  | 13 9 0    | 9 7              | 13 18 7     |
| Hand borer .. .. .   | 13 0 0    | ..               | 13 0 0      |
| Wharf carpenter's assistant .. .. .                            | 13 0 0    | 9 7              | 13 9 7      |
| Diver's assistant .. .. .                                      | 13 0 0    | 9 7              | 13 9 7      |
| Other demolition workers .. .. .                               | 12 17 6   | ..               | 12 17 6     |
| Barge hand on shore plant .. .. .                              | 12 17 6   | 12 1             | 13 9 7      |
| All others .. .. .   | 12 17 0   | ..               | 12 17 0     |
| <b>CONCRETE WORK.</b>  |           |                  |             |
| Pneumatic pick user or jack hammer-man .. .. .                 | 13 4 0    | 9 7              | 13 13 7     |
| Concrete floater .. .. .                                       | 13 2 0    | 9 7              | 13 11 7     |
| Mixer operator .. .. .   | 13 2 0    | 9 7              | 13 11 7     |
| Men filling moulds .. .. .                                     | 13 0 0    | ..               | 13 0 0      |
| Gaugers, i.e., persons filling gauged barrows or boxes .. .. . | 13 0 0    | 9 7              | 13 9 7      |
| Other mixers .. .. .   | 13 0 0    | ..               | 13 0 0      |
| Men employed on reinforcements .. .. .                         | 13 0 0    | ..               | 13 0 0      |
| Barrowmen or general labourers .. .. .                         | 12 17 0   | 9 7              | 13 6 7      |

- (c) When shift work is performed the rates prescribed in clause 2 (b) hereof for day work shall be increased as follows:—  
 (i) by 7½ per cent. for all work done during the afternoon shift; and  
 (ii) by 10 per cent. for all work done during the night shift.

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

## HOURS.

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

## TERMS OF ENGAGEMENT.

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

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

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

## TIME OF BEGINNING AND ENDING WORK.

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

(i) Day work—

|                          | Time of Beginning. | Time of Ending. |
|--------------------------|--------------------|-----------------|
| Monday to Friday .. .. . | 8 a.m. ..          | 5 p.m.          |

(ii) Shift work—

Where two shifts are worked—

|  |              |            |
|--|--------------|------------|
| Monday to Friday (day shift) .. .. .       | 6.30 a.m. .. | 2.30 p.m.  |
| Monday to Friday (afternoon shift) .. .. . | 2.30 p.m. .. | 10.30 p.m. |

Where three shifts are worked—

|  |            |         |
|--|------------|---------|
| Monday to Friday (day shift) .. .. .       | 7 a.m. ..  | 3 p.m.  |
| Monday to Friday (afternoon shift) .. .. . | 3 p.m. ..  | 11 p.m. |
| Monday to Saturday (night shift) .. .. .   | 11 p.m. .. | 7 a.m.  |

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

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

## FARE ALLOWANCE.

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

## HOLIDAYS.

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

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

## HOLIDAYS AND SUNDAY WORK.

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

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





TEA BREAK.

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

HOT WATER.

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

CHANGING TIME.

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

MIXED FUNCTIONS.

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

TOOL ALLOWANCE.

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

TRANSPORT OF INJURED OR SICK EMPLOYEES.

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

SHELTER, ETC.

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

First Aid Outfit.

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

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 .. .. .  |   |

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates set out in clause 2 are based upon the following basic wage, and, pursuant to the provisions of section 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.                       | Basic Wage. | Index Number Set Assigned. |
|------------------------------|-------------|----------------------------|
|                              | £ s. d.     |                            |
| Throughout the State .. .. . | 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 an a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but, should the decimal number reach .5 or more, the basic wage shall be taken to the next higher shilling.

## MARGINAL RATES.

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

| Classification.   | Margins per Week. |
|---|-------------------|
|   | <i>s. d.</i>      |
| Leading hand, i.e., a person in charge of not less than—  |                   |
| (a) three nor more than ten employees .. .. .   | 65 3              |
| (b) eleven nor more than fifteen employees .. .. .  | 75 3              |
| Pile-driver .. .. .   | 78 0              |
| Pile-driver's offsider .. .. .  | 35 0              |
| Wharf carpenters, employed on cross heads, beams, walings, transoms, kerbings, capping and bollards, braces or lower walings, decking, marginal or stepping decking, fenders, tie beams, trimmers, ladders and steps, platforms for points and approaches thereto, boat landings, ring bolts, mooring hooks, mooring piles, beacons, fencing, pile-pointing, pile-ringing, form work for concrete construction, or fitting and fastening all angle iron for waterways .. .. . | 73 3              |
| Oxy acetylene burner on demolition work .. .. .   | 70 6              |
| Saw sharpener .. .. .   | 68 9              |
| Machine borer .. .. .   | 35 0              |
| Hand borer .. .. .  | 26 0              |
| Wharf carpenter's assistant .. .. .   | 26 0              |
| Diver's assistant .. .. .   | 26 0              |
| Other demolition workers .. .. .  | 23 6              |
| Barge hand on shore plant .. .. .   | 23 6              |
| All others .. .. .  | 23 0              |
| <b>CONCRETE WORK.</b>   |                   |
| Pneumatic pick user or jack hammer-man .. .. .  | 30 0              |
| Concrete floater .. .. .  | 28 0              |
| Mixer operator .. .. .  | 28 0              |
| Men filling moulds .. .. .  | 26 0              |
| Gaugers, i.e., persons filling gauged barrows or boxes .. .. .  | 26 0              |
| Other mixers .. .. .  | 26 0              |
| Men employed on reinforcements .. .. .  | 26 0              |
| Barrowmen or general labourers .. .. .  | 23 0              |

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

J. W. RYAN, Secretary.

Melbourne, 3rd December, 1954.

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# VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, FEBRUARY 4.

[1955

Labour and Industry Act 1953.

## DETERMINATION OF THE BUTTER FACTORIES BOARD.

NOTES.—(1) On 18th July, 1938, the Butter Board was deprived of the power to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(a) butter, cheese, or casein ;

(b) cream for wholesale trade other than sterilized cream;”

and such power was conferred exclusively on the Butter Factories Board.

(2) 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 which has the power to “determine the lowest prices or rates which may be paid to any person or classes of persons wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(a) butter, cheese, or casein ;

(b) cream for wholesale trade other than sterilized cream;”

has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 1st January, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

### APPRENTICES OR IMPROVERS.

### JUVENILE WORKERS.

|                   | Wages per Week.           |                |                           |                   |                   | Wages per Week.           |       |                                  |       |
|-------------------|---------------------------|----------------|---------------------------|-------------------|-------------------|---------------------------|-------|----------------------------------|-------|
|                   | Percentage of Basic Wage. | Shift Workers. | Percentage of Basic Wage. | Ordinary Workers. |                   | Males.                    |       | Females.                         |       |
|                   |                           |                |                           |                   |                   | Percentage of Basic Wage. | —     | Percentage of Female Basic Wage. | —     |
|                   |                           | <i>s. d.</i>   |                           | <i>s. d.</i>      |                   | <i>s. d.</i>              |       | <i>s. d.</i>                     |       |
| Under 16 years .. | ..                        | ..             | 59                        | 138 0             | Under 16 years .. | 50                        | 117 0 | 62                               | 109 0 |
| 16-17 years ..    | ..                        | ..             | 69                        | 161 6             | 16-17 years ..    | 56                        | 131 0 | 70                               | 123 0 |
| 17-18 years ..    | ..                        | ..             | 78                        | 182 6             | 17-18 years ..    | 69                        | 161 6 | 78                               | 137 0 |
| 18-19 years ..    | 100 +                     | 236 0          | 88                        | 206 0             | 18-19 years ..    | 76                        | 178 0 | 91                               | 159 6 |
|                   | . 2s.                     |                |                           |                   | 19-20 years ..    | 89                        | 208 6 | 99                               | 173 6 |
| 19-20 years ..    | 100 +                     | 248 6          | 99                        | 231 6             | 20-21 years ..    | 100 +                     | 236 0 | 100 +                            | 186 0 |
|                   | 14s. 6d.                  |                |                           |                   |                   | . 2s.                     |       | 10s. 6d.                         |       |
| 20-21 years ..    | 100 +                     | 256 0          | 100 +                     | 242 0             |                   |                           |       |                                  |       |
|                   | . 22s.                    |                | 8s.                       |                   |                   |                           |       |                                  |       |

### PROPORTION (IN ANY PLACE).

#### Males.

One apprentice to every three or fraction of three workers receiving not less than 267s. per week.

One improver to every eight or fraction of eight workers receiving not less than 267s. per week.

#### Females.

One apprentice and one improver to every three or fraction of three workers receiving not less than 205s. 9d. per week.

OTHER EMPLOYEES.

|  | Wages per Week. |                   |
|--|-----------------|-------------------|
|  | Shift Workers.  | Ordinary Workers. |
|  | s. d.           | s. d.             |
| Cream grader .. .. .   | 297 0           | 286 0             |
| Milk grader .. .. .  | 296 0           | 285 0             |
| Milk or cream tester .. .. .   | 296 0           | 285 0             |
| Creamery manager .. .. .   | 291 0           | 280 0             |
| Milk or cream neutralizer .. .. .  | 289 6           | 278 6             |
| Foreman of shift or department or casein plant .. .. .                         | 291 0           | 280 0             |
| Butter-maker .. .. .   | 296 0           | 285 0             |
| Re-worker and/or processor (not requiring a buttermaker's certificate) .. .. . | 281 0           | 270 0             |
| Operators of any of the following machines, viz :—                             |                 |                   |
| Separator .. .. .  | 282 0           | 271 0             |
| Pasteurizer vacreator, or deodorizer .. .. .                                   | 282 0           | 271 0             |
| Weighing machine .. .. .   | 279 0           | 268 0             |
| Filling machine for tinning of butter when butter has not been milled .. .. .  | 281 0           | 270 0             |
| Filling machine for tinning of butter when butter has been milled .. .. .      | 280 0           | 269 0             |
| Storeman or packer in butter canning establishments .. .. .                    | 280 0           | 269 0             |
| Other storeman or packers .. .. .  | 279 0           | 268 0             |
| Casein-maker .. .. .   | 292 0           | 281 0             |
| Assistant to casein-maker, casein dryers, and millers .. .. .                  | 280 6           | 269 6             |
| Cheese-maker .. .. .   | 296 0           | 283 0             |
| Assistant to cheese-maker .. .. .  | 280 6           | 269 6             |
| Cheese storehand .. .. .   | 282 0           | 271 0             |
| Male adult washing or sterilizing cans or bottles .. .. .                      | 279 0           | 268 0             |
| Operator of a fork lift truck .. .. .  | 281 0           | 270 0             |
| All other adult males .. .. .  | 278 0           | 267 0             |
| All other adult females .. .. .  | ..              | 205 9             |

Washers and/or cleaners of any enclosed vat or tank fitted with a man hole, the height of which compels reaching overhead, shall be paid at the rate of 4s. per week in addition to their ordinary wage, whilst so engaged.

DEFINITIONS.

3. "Juvenile worker" means a person under 21 years of age (other than an apprentice or an improver employed at—

- Patting, wrapping, or branding butter or cheese;
- Blending or re-packing cheese;
- Filling or cleaning cheese jars or moulds;
- Filling or emptying casein trays;
- Filling or drying casein in tunnels;
- Filling casein into bags;
- Weighing, filling, emptying, stacking, capping, sealing, opening, labelling, wrapping, packing, cleaning, or sterilizing tins, cartons, or bottles;
- Stamping or branding tins, cartons, cases, bottles, or labels;
- Stamping, branding, lining, or nailing up boxes or shooks, but not lifting full boxes; or
- Handling empty tins, cans, cases, crates, jars, moulds, or boxes.

"Ordinary worker" means a person—

- (a) who ordinarily works 8 hours between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday, when the ordinary week's work is performed in five days;
- (b) who ordinarily works 7 hours 12 minutes between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and four hours on Saturday between 7 a.m. and 12 noon when the ordinary week's work is performed in six days.

"Shift worker" is a person other than an ordinary worker. Males under 21 years of age (other than an apprentice or improver 18 years of age or over) or females of any age shall not be employed on shift work.

"Butter-maker" is a person who controls the temperature of cream for butter making, starts and stops the churn after filling with cream, and salts and works the butter.

"Assistant to cheese-maker" means any person employed in the working of the curd in the vats and processes up to and including unhooping the cheese from the presses. Not more than six assistants to cheese-makers shall be employed to each cheese-maker in any factory.

"Assistant to casein-maker" means any person employed in the working of the curd in the vats up to and including unhooping of the casein curd from the presses.

HOURS FOR A WEEK'S WORK.

4. The number of hours which shall constitute an ordinary week's work shall be 40.

PROHIBITION OF EMPLOYMENT.

5. No person under 21 years of age shall be employed placing cans in or removing cans from a mechanical washer.

OVERTIME.

The following rates shall be paid :—

(a) To "ordinary workers" for all time worked—

Outside the times of beginning and ending work as fixed in clause 3 . . . . . }  
 Within the times of beginning and ending work so fixed in excess of four hours on Saturday }  
 and 7 hours 12 minutes on the other working days where an ordinary week's work is } Time and a half.  
 worked in six days and for all time worked on Saturday and in excess of 8 hours }  
 on Monday to Friday inclusive where an ordinary week's work is worked in five days . . }  
 Provided that double time shall be paid for all work done on Saturday after 12 noon.

(b) To "shift workers" for all time worked in excess of 6 hours 40 minutes on any day . . . . . } Time and a half.

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

## MEAL INTERVAL.

7. An interval of not less than 30 minutes nor more than 60 minutes shall be granted for meals between the hours of 12 noon and 2 p.m., provided that females and juveniles shall be granted such interval not more than 4½ hours after starting work. Shift workers shall be allowed an interval of not less than 30 minutes nor more than 60 minutes for meal: such meal time to be not less than three and a half hours, or more than five hours from the time of beginning work, provided that no employee shall be compelled to work for more than five hours between meal intervals and without being allowed a crib time of fifteen minutes for which he or she shall be paid.

Meal time, if worked, shall be paid for at the rate of time and a half on prevailing rates, same to continue until such time as the employee has had the full time provided for a meal.

## MEAL ALLOWANCE.

8. Any employee required to work more than 60 minutes overtime after the usual finishing time shall be paid, in addition to the overtime payable, an allowance of 4s. for a meal.

## TIME BOOK OR OTHER RECORD.

9. Every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance, which shall be furnished by the employer.

## INSPECTION OF TIME BOOK.

10. The Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australia be allowed to inspect the Time Record referred to in clause 9 and wages record (covering a period of two months prior to the inspection), during the office hours of the factory.

## ALLOWANCE.

11. (a) Where an employee is required by law or by his employer to wear a washable outer overall, two such overalls of a proved type and quality (not exceeding two each year of employment) shall be provided by the employer within two weeks of the commencement of employment; such overalls shall remain the property of the employer.

(b) Employees employed on can washing, washing up, tipping milk or cream shall be supplied with waterproof aprons and protective footwear. Protective footwear shall be supplied to employees required to work in wet places. Articles so supplied shall remain the property of the employer. With regard to footwear, the employer alternatively may pay an allowance of 1s. 6d. per week to each employee eligible for such footwear.

## CONTINUITY OF WORK.

12. The work of each day or shift shall be continuous, with the customary break for a meal.

## TIME WAGES.

13. (a) An ordinary worker ready, available and willing to work, employed on time wages for less than the number of hours fixed for an ordinary week's work between midnight Sunday and midnight Saturday shall for each hour worked up to one half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of 33 per centum, and for each hour worked beyond the one-half aforesaid the rate of wages payable shall be the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(b) Any shift worker ready, available and willing to work, employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to one half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of 33 per centum, and for each hour worked beyond the one-half aforesaid the rate of wages payable shall be the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(c) Notwithstanding anything contained in sub-clauses (a) and (b) of this clause, an employee who has not been absent without reasonable cause from work on any of the ordinary days of any week in which a holiday mentioned in clause 22 occurs shall not lose payment from his weekly wage by reason of such holiday if not required for work on such holiday.

## TERMINATION OF EMPLOYMENT.

14. Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker.

## PAYMENT OF WAGES.

15. Wages shall be paid during ordinary working hours immediately on ceasing work on each pay day.

## WASHING, DINING, AND DRINKING FACILITIES.

16. Adequate washing and drinking facilities shall be provided in each factory or department, and where, in the opinion of the Inspector of Factories, conditions necessitate their use adequate dining rooms, changing facilities, and showers shall be provided by the employer.

## IMPROVER TO RECEIVE ADULT WAGE.

17. An improver employed at any class of work for which a certificate from the Department of Agriculture is required shall, unless he is working under the direct supervision of an employee so qualified, be paid the rates of pay prescribed for such an adult employee.

## ROTATION OF SHIFTS.

18. Where more than one shift per day is worked there shall be a change of shift at least once every four weeks unless otherwise arranged by mutual consent.

## ANNUAL HOLIDAY.

19. (a) Subject to the provisions of sub-clauses (b) and (c) hereof 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.

(b) Any shift worker who is rostered to work six or seven shifts per week including Saturdays, and/or Sundays and/or holidays shall be entitled for each twelve monthly qualifying period, one week's annual leave in addition to such leave as prescribed in sub-clause (a) hereof.

(c) Any person who is employed for only part of a twelve monthly qualifying period as a six or seven day shift worker shall be entitled to annual leave, or payment in lieu if the total period of service is less than the full qualifying period of twelve months, as follows:—

(i) during the period of service as such a shift worker, on a proportionate basis based on three weeks' annual leave for a full twelve monthly qualifying period, or payment in lieu, i.e., 3/50ths of the ordinary pay received during such period of service.

(ii) for the remainder of the period of service (if any) on a proportionate basis based on two weeks' annual leave for a full twelve monthly qualifying period, or payment in lieu, i.e., 1/25th of the ordinary pay received during such period of service.

## SICK LEAVE.

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

(b) Notwithstanding the provisions of sub-clause (a) hereof if the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st January, 1952, shall be disregarded, provided that any accumulated sick leave, not exceeding 120 hours of working time, standing to the credit of the employee on 1st January, 1955, shall not be reduced by virtue of the provisions of this sub-clause.

MIXED FUNCTIONS.

21. Where an employee is engaged in any one day or shift for more than two hours at work in a higher class than he is employed to perform, he shall be paid for the full day or shift at the highest rate payable for any such work under this Determination, but if he is so engaged for less than two hours he shall be paid at the rates fixed by this Determination only for the work he actually performs.

SPECIAL RATES FOR HOLIDAYS.

22. (a) Double time shall be the rate payable for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Queen's Birthday, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted. Provided that by mutual agreement between any employer and the employees concerned some other day may be substituted for Queen's Birthday.

(b) Any employee called to work part of a holiday shall be paid ordinary rate for the remainder of the day.

SPECIAL RATES FOR SUNDAY WORK.

23. (a) Time and a half shall be the rate payable for all work done on Sunday, providing that an employee shall be entitled to payment at the rate of double time for such Sunday work as shall be in excess of 40 hours worked since the previous Sunday exclusive of any overtime worked by him on Monday to Saturday, both inclusive.

(b) Any employee called to work part of a Sunday shall be paid ordinary rate for the remainder of the day.

DAY OFF FOR SHIFT WORKERS.

24. Seven day shift workers shall be entitled to one day off without pay in each week on any one of the days Monday to Sunday (both inclusive). The period of working time on such day off shall,

- (i) be taken into account for the purpose of prohibiting an employee from claiming benefits under the provisions of clause 13, and,
- (ii) count as time worked for the purpose of clause 23.

PAYMENT FOR WORK DONE ON ROSTERED DAY OFF.

25. Notwithstanding the provisions of Clause 23, an employee recalled to work on his rostered day off shall be paid double time and a quarter for Sunday, time and three quarters for Saturday, and time and a half for any other days of the week.

ROSTERING OF SHIFT WORKERS.

- 26. (a) Employees shall not be rostered off more than one Saturday and one Sunday in each seven consecutive weeks.
- (b) Shift workers rostered to work on Sunday shall be paid in accordance with Clauses 23 and 25 of this Determination.
- (c) Shift workers rostered to work on Saturday between midnight on Friday and midnight on Saturday shall be paid at the minimum rate of time and a half.
- (d) Sunday shall be deemed to be the rostered day off in places which do not normally work on a Sunday.

EMPLOYEES NOT TO BE DEPRIVED OF RIGHTS.

27. Employees who have been absent from work on Worker's Compensation or sick leave as provided for by Clause 20 of this Determination, or who have been on annual leave, shall not be deprived of any benefit under Clause 20 of this Determination.

LIFTING OF WEIGHTS.

- 28. (a) Male employees under 18 years of age shall not lift weights in excess of 30 lb., and male employees between the ages of 18 years and 21 years shall not lift weights in excess of 45 lb.
- (b) Female employees under 18 years of age shall not lift weights in excess of 25 lb., and female employees over 18 years of age shall not lift weights in excess of 35 lb.

PERIODICAL ADJUSTMENT OF WAGES.

29. The wages rates for adult males set out in clause 2 are based upon the following basic wage 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 as prescribed by clause 30.

Basic Wage.

| Place.               | Basic Wage (Adjustable). | Index Number Set Assigned. |
|----------------------|--------------------------|----------------------------|
| Throughout the State | £ s. d.<br>11 14 0       | Melbourne                  |

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in February, 1955, the amount of the basic wage shall be as prescribed in clause 29.

(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 are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

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

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

J. V. WILSON, Secretary.

Melbourne, 14th December, 1954.