



# VICTORIA GOVERNMENT GAZETTE

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*Labour and Industry Act, 1953.*

## DETERMINATION OF THE DENTAL MECHANICS BOARD.

This Determination since the 2nd July, 1946, has applied to the whole of the State of Victoria.

On the 10th December, 1947, the trade of a Dental Mechanic was proclaimed an Apprenticeship trade under the *Apprenticeship Act 1928*, for the Metropolitan District.

IN accordance with the provisions of the *Labour and Industry Act 1953*, the Wages Board which since the 30th August, 1938, has had the power "to determine the lowest prices or rates which may be paid to any persons employed in the process, trade, business, or occupation of—

- (a) a dentist's surgical assistant granted a permit by the Dental Board of Victoria in pursuance of section 68 of the *Medical Act 1928*;
- (b) a dentist's mechanic;
- (c) making any article to be fitted in a human mouth;
- (d) a dentist's attendant,"

has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 24th February, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### 2. WAGES PER WEEK OF 40 HOURS.

* Dentist's Mechanic. (Apprentices.)		Dentist's Attendant. (Apprentices and Improvers.)		Other Employees.		Minimum Wage.
<i>s. d.</i>		Percentage of Female Basic Wage.		<i>s. d.</i>		<i>s. d.</i>
1st year	.. .. 68 0	1st year	51	90 0	Dentist's Surgical Assistant	.. .. 390 0
2nd year	.. .. 95 0	2nd year	71	125 0	Dentist's Mechanic	.. .. 332 6
3rd year	.. .. 122 0	3rd year	93	163 6	Dentist's Attendant	.. .. 198 6
4th year	.. .. 190 0					
5th year	.. .. 237 6					
6th year	.. .. 263 0					

Provided that no apprentice shall have his legal rate of payment as prescribed in the Determination hereby revoked reduced in consequence of the operation of this Determination.

\*NOTE.—Clause 3. Special conditions regarding the employment of juniors.

And thereafter the minimum wage.

PROPORTION (IN ANY PLACE).

APPRENTICES.

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

An amended indenture of apprenticeship prescribed was approved on 3rd September, 1925.

IMPROVERS.

(Dentists' Attendants.)

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

## SPECIAL CONDITIONS REGARDING THE EMPLOYMENT OF JUNIORS.

3. (a) The Board has determined that on and after the 28th September, 1946, no junior shall be employed at the Dental Section of the trade except under terms of apprenticeship.
- (b) Juniors shall be apprenticed as from the date of commencing work with an employer, but the first six months of service shall be deemed to be a probationary period, and the indenture may be terminated by any party thereto during such period of probation without any obligation to any other party or parties.

## TIMES OF BEGINNING AND ENDING WORK.

(i) *Dental Mechanics.*

4. The ordinary hours of work shall be between the following times of beginning and ending work:—
- 8 a.m. .. .. 6 p.m. on Monday to Friday (inclusive).

(ii) *Attendants.*

Time of Beginning.	Time Ending.
8.30 a.m. .. ..	Noon on Saturday.
8.30 a.m. .. ..	6 p.m. on the other working days of the week.

(iii) *All Others.*

- (a) Where a five and a half day week is worked—

Time of Beginning.	Time of Ending.
9 a.m. .. ..	12 noon on the day on which the half-holiday is observed.
9 a.m. .. ..	5.30 p.m. on the other working days of the week.

- (b) Where a five-day week (Monday to Friday inclusive) is worked—

Time of Beginning.	Time of Ending.
8.30 a.m. .. ..	6 p.m.

## HOURS.

5. The ordinary hours for a week's work shall be 40.

## MEAL BREAK.

6. A meal break of not less than 12 nor more than 60 minutes shall be allowed daily to each employee (Saturday excepted).

## OVERTIME.

7. (a) No employee shall be required to work more than two hours' overtime in any one week outside the hours of beginning and ending work without his or her consent.
- (b) No employee under the age of sixteen years shall be employed working overtime.
- (c) The following rate shall be paid for all work done:—
- (i) Outside the hours fixed in clause 4
- (ii) Within the hours fixed in clause 4 in excess of the number of hours as fixed for a week's work } Time and a half.

## MEAL MONEY.

8. All employees who work overtime—

- (a) in excess of three hours on the day on which the half-holiday is observed, or
- (b) in excess of one hour on any other working day of the week,

shall be paid 3s. 6d. meal money in addition to overtime rates.

## SUNDAYS AND HOLIDAYS.

9. (a) Double time shall be the rate payable for all work done on Sundays, New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Queen's Birthday, Show Day (Metropolitan District only), Melbourne Cup (Metropolitan District only), Christmas Day and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.
- (b) All weekly wage employees shall be granted the holidays mentioned in sub-clause (a) without deduction of pay.

## EMPLOYMENT FOR LESS THAN FULL WEEK.

10. (a) Casual employees (i.e., persons employed during any week for not more than half the hours fixed for an ordinary week's work) shall be paid—
- (i) in any week in which two or more public holidays occur .. .. Time and a half.
- (ii) in any other week .. .. Time and a quarter.
- (b) Persons who are employed during any week for more than one-half the ordinary number of hours fixed in this Determination for a week's work, but for less than 40 hours shall (subject to clause 17) be paid not less than the ordinary wages rate calculated pro rata according to the number of hours worked.
- (c) Notwithstanding anything contained in sub-clauses (a) and (b) hereof, for any employee whose hours have been reduced to twenty or less in any week in consequence of any stoppage of work due to circumstances outside the control of the employer, the rates prescribed in sub-clause (a) hereof shall not operate, and such an employee need be paid only pro rata based on the ordinary rate prescribed for a week of 40 hours.

## TERMINATION OF EMPLOYMENT.

11. (a) Except in the case of misconduct by an employee, seven days' notice of termination of employment shall be given by the employer or employee, or one week's wages shall be paid or forfeited in lieu thereof. This provision shall only apply in the case of an employee who has been employed continuously for four weeks or more.
- (b) Where the employer terminates the employment of an employee within one week of a day on which a holiday occurs the employee shall be paid for such holiday or holidays prescribed by the Determination provided that such employee has been employed by the employer for a period of at least four weeks prior to the termination of employment.

## PAY DAY.

12. All earnings shall be paid not later than Thursday of each week.

## ANNUAL HOLIDAY.

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

## SICK LEAVE.

14. (a) Any employee who, having had at least three months' 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— $3\frac{1}{4}$  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 a certificate 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 July, 1948, shall be disregarded.

REFERENCE.

15. When any employee is dismissed or leaves his employment he shall be entitled to a reference stating his period of service

REST PERIOD.

16. When any spell of duty is for more than four hours, an interval of ten minutes, to be selected by the employer, shall be allowed in the third hour to females, apprentices and improvers for refreshment. The interval shall be as part of the time of duty without deduction of pay.

MIXED FUNCTIONS.

17. Any employee (other than a casual employee) who is engaged in any week for more than twenty hours at work in a higher class than he or she is ordinarily employed to perform shall, for all work performed during such week, be paid at the rate fixed for the higher class of work: but, if an employee is so engaged at work in a higher class for less than twenty hours in any week, he or she shall be paid *pro rata* according to the rates fixed in this Determination for the work actually performed.

LAUNDERING ALLOWANCE.

18. Where any Surgical Assistant or Female Dentist's Attendant is required by the employer to wear a washable uniform, the laundering of same shall be done at the expense of the employer, or an allowance as prescribed hereunder shall be paid to the employee concerned:—

Surgical Assistant	..	..	..	..	..	4s. 6d. per week.
Female Dentist's Attendant	..	..	..	..	..	4s. 6d. per week.

DEFINITIONS.

19. (a) Dentist's Surgical Assistant: One who is granted a permit by the Dental Board of Victoria in pursuance of section 68 of the *Medical Act 1928* and who practises dental surgery under the supervision of a dentist.

(b) Dentist's Mechanic: One who is making any article to be fitted in a human mouth.

(c) Dentist's Attendant: A female who waits on a dentist or dentist's assistant and who does not make, repair, or alter any article to be fitted in a human mouth.

PERMISSION TO INTERVIEW EMPLOYEES.

20. An official of the Federated Miscellaneous Workers' Union, Victorian Branch, duly authorized in writing shall be permitted to enter the employer's premises for the purpose of interviewing employees on legitimate Union business under the following conditions:—

(a) Visits may be made only at meal times or morning or afternoon tea breaks or such other time as may be agreed upon between the employer and the Union.

(b) The official produces his authority to the employer or his authorized representative.

(c) That there is no interference with work in the employers establishment.

PERIODICAL ADJUSTMENT OF WAGES.

21. The male adult wages rates and the rate for a Dentist's Mechanic (Apprentice) 6th year set out in clause 2 are based upon the following basic wage rates and, pursuant to the provisions of section 33 of the *Labour and Industry Act 1953*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed in clause 22. The rates of apprentices (Dentist's Mechanic) shall accord from time to time with those prescribed for like apprentices by the Apprenticeship Commission.

BASIC WAGE.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Throughout the State	£ s. d. 11 15 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

22. (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 May, 1955, the amount of the basic wage shall be as prescribed in clause 21.

(c) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor 1.03 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

(d) The wages rate for Dentist's Attendant (adult) is 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. Such wages rate 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 Dentist's Attendant (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. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 9th February, 1955.

