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Labour and Industry Act 1953.

DETERMINATION OF THE SADDLERY AND HARNESS 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 persons employed in the trade of manufacturing harness, saddlery, or whiphongs" has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in May, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.
2. That the lowest rates to be paid to any persons employed in the trade of manufacturing or repairing harness, saddlery, or whiphongs shall be—

3. WAGES PER WEEK.

		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.
		£ s. d.	£ s. d.
Journeyman	14 12 0	14 9 0
Journeywomen	9 17 6	9 15 6

In addition to the above rates the following shall be paid.

(a) Employees engaged in using offensive animal hair or similar offensive material in the saddlery and harness trade or repairing harness of a dirty or offensive nature shall be paid 3d. per hour extra, where the foreman and the employee agree that such hair and/or material is of an unusually offensive nature.

In the case of disagreement between the foreman and employee the employee or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the employee'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 employee's claim within 24 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.

(b) Female working on large machines (7·5, 45K, 7·27, or any similar class of machine, and Grummet), 3s. 6d. per week extra on above rates.

FEMALES TO BE PAID MALE RATE.

4. Where a female is employed to do any of the following classes of work she shall be paid the rate which is prescribed for adult males:—

- (a) Hand stitching or machine sewing with waxed thread of buggy, gig, or cab saddles, winker eyes, fronts, drops, padtops, pad or saddle cloths, folded hand parts, collar side pieces or housings for gig, carriage, spring cart or van harness.
- (b) hand stitching or machine sewing all other harness;
- (c) hand stitching or machine sewing with waxed thread (other than beeswax), all classes of saddlery and leather goods other than harness;
- (d) quilting or cross barring panels;
- (e) cutting out, preparing, edging, creasing and finishing all classes of work.

APPRENTICES—MALES.

- 5. (a) The probationary period of trainee apprentices or apprentices shall not exceed three months.
- (b) The minimum rates of wage to be paid to apprentices or probationers shall be not less than the following:—

	Wages Per Week.	
	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.
	s. d.	s. d.
Five-year terms—		
First year's experience	71 0	70 0
Second year's experience	83 0	82 0
Third year's experience	118 6	117 0
Fourth year's experience	189 6	187 0
Fifth year's experience	237 0	234 0
Four-year terms—		
First year's experience	71 0	70 0
Second year's experience	118 6	117 0
Third year's experience	189 6	187 0
Fourth year's experience	237 0	234 0

(c) Experience in this clause means actual experience whether as an apprentice or otherwise, in any one or more of the operations provided as apprenticeship operations.

(d) Except as otherwise provided minors may be engaged in the following occupations under contracts of apprenticeship or trainee apprenticeship framed in conformity with this Determination:—(1) Riding Saddle Maker; (2) Harness, harness saddle, bridle work, and strapping maker; (3) Cutting or clicking; (4) Whip and whiphong maker; (5) Collar maker.

(e) The period of apprenticeship shall not exceed four or five years including any period of experience in the occupation to which the minor is being apprenticed prior to entering into the indenture of apprenticeship.

(f) An employer especially qualified to teach apprentices may, with the consent of the Wages Board, employ a greater proportion of apprentices to tradesmen than herein specified.

(g) Until further order any contract of apprenticeship may contain the following provision:—

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

(h) 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 twenty-three years.

(i) All wages shall be paid without deduction for specified holidays or for unavoidable absences through sickness to the number of forty hours of working time per annum.

(j) 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.

(k) The ordinary hours of employment of apprentices shall be the same in each workshop as those of the journeymen.

(l) An apprentice under the age of eighteen years shall not be liable to work overtime unless he so desires.

(m) An apprentice shall not work under any system of piecework.

(n) 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.

(o) *Tools of Trade*:—All tools of trade necessarily required by an apprentice in the learning of his trade shall be supplied by the employer of the apprentice. Such tools of trade shall remain the property of the apprentice on completion of his indenture.

JUNIOR WORKERS—MALES.

- 6. (a) Junior workers may be employed at the following rates of pay:—

	Wages Per Week.	
	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.
	s. d.	s. d.
Under 16 years of age	71 0	70 0
16 and under 17 years of age	95 0	93 6
17 and under 18 years of age	118 6	117 0
18 and under 19 years of age	142 0	140 6
19 and under 20 years of age	189 6	187 0
20 and under 21 years of age	237 0	234 0

(b) The proportion of junior workers and apprentices allowed shall be :—

MALE EMPLOYEE RECEIVING AT LEAST ADULT MALE RATE.	JUNIOR WORKERS INCLUDING APPRENTICES.
1	1
2 to 20	1 for every 2 such male employees
Over 20	A further 1 for every 3 such male employees over 20.

In computing the proportion under this sub-clause the number of such male employees employed for the whole of the previous six months shall be taken.

JUNIOR WORKERS—FEMALES.

7. Female junior workers may be employed at the following rates of pay :—

	Wages Per Week.	
	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.
	<i>s. d.</i>	<i>s. d.</i>
Under 16 years of age	71 0	70 0
16 and under 17 years of age	88 6	87 6
17 and under 18 years of age	101 0	100 0
18 and under 19 years of age	113 6	112 6
19 and under 20 years of age	124 0	123 0
20 and under 21 years of age	154 6	152 6

and thereafter the minimum wage prescribed for adult females as adjusted from time to time for the class of work which they are doing, provided, however, that a junior female, after four years' experience in the industry covered by this Determination shall be paid the full adult female rate prescribed in clause 3.

(a) For the purposes of this clause "experience" shall mean any form of employment in this industry.

(b) Employers who wilfully employ juniors without taking into account previous experience shall be guilty of a breach of this Determination.

(c) The proportion of female apprentices and/or junior workers shall not exceed two to one adult female receiving the minimum wage.

CASUAL WORKER.

8. To meet emergencies, any employer may engage a casual employee for a day or more on paying extra wages calculated at the rate of 12½ per cent. higher than those prescribed for similar work.

DEFINITIONS.

9. (a) "Federation" means the Australian Leather and Allied Trades Employees' Federation.

(b) "Double-time rates" or "Rate of double time" shall mean when applicable to ordinary hours of work on a week-day, holiday or Sunday, the ordinary hour rate payable as part of the weekly wage, and in addition a rate equal to such ordinary hour rate.

(c) "Casual worker" means an employee (other than a regular employee) employed and paid by the day.

(d) "Journeyman" shall mean a male employee 21 years of age or over, or one who has completed his term of apprenticeship in the industry.

(e) "Journeywoman" shall mean a female employee 21 years of age or over, or one who has worked four years or more on any work in the industry, for which a rate is prescribed in clause 3 of this Determination.

(f) "Ordinary pay or rates" means in the case of a time worker the ordinary remuneration he receives for the normal weekly number of hours worked by him and in the case of a piece task or bonus worker the ordinary time rate.

CONTRACT OF EMPLOYMENT.

10. (a) Employment shall be terminable on either side by a week's notice given at any time during the week or, if terminated without notice, by payment or forfeiture of a week's wages as the case may be.

(b) This shall not effect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases wages shall be paid up to the time of dismissal only: Provided that the employer may deduct payment for any day on which an employee cannot be usefully employed because of any stoppage of work by an organization or group of employees or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

EMERGENCY PROVISIONS.

10A. (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 Friday 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 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 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.

PART-TIME EMPLOYMENT.

11. Females may be employed as part-time employees in any branch of the industry covered by this Determination upon and subject to the following terms and conditions:—

- (a) They shall be employed for not less than 20 hours in any week.
- (b) They shall be paid for each hour worked during the regular hours of work at the rate of at least 1/40th of the minimum weekly wage prescribed by this Determination for the class of work performed by them.
- (c) The payment or deduction of payment in lieu of notice of termination of employment shall be two-fifths of the pay of the preceding week of the employee concerned.
- (d) Within one week of the employment, written consent of the Secretary for Labour and Industry shall be obtained for the continual employment of a female as a part time worker.
- (e) The provisions of this Determination as regards annual leave, sick leave, and holidays shall apply to such part-time employees, but they shall be paid in respect of the period of such annual leave, sick leave, and in respect of holidays, only at the wages rate actually being received by them at such time.
- (f) Save as aforesaid, all the provisions of this Determination shall apply to such part-time employees.

MIXED FUNCTIONS.

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

SUNDAY AND HOLIDAY RATES.

13. (a) All work performed on Sundays and holidays shall be paid for at the rate of not less than double time.
- (b) An employee called upon to work on a Sunday or holiday shall be paid for a minimum of four hours' duty.

HOURS.

14. (a) Forty hours shall constitute a week's work.
- (b) The regular hours of work shall not be earlier than 7.30 a.m. and not later than 5.30 p.m. on five days of the week.
- (c) Not more than 8 hours (except if paid for at overtime rates) shall be worked in any one day in each week.

MEAL TIME.

15. (a) Employees shall be allowed one meal break of not less than 30 minutes, such meal break to commence not later than 1 p.m.
- (b) Meal intervals having been fixed shall not be altered except on seven days' notice to the employee concerned.
- (c) Any employee called upon to work during a meal hour shall be paid time and a half, and such time and a half shall continue until he or she has a meal break.
- (d) No employee shall be allowed to work more than five hours without a break for midday meals.

REST PERIOD.

16. A rest period of ten minutes shall be given to all employees between the hours of 9.30 a.m. and 11.30 a.m. The interval shall be counted as time off duty without deduction of pay. During such period the employees may leave their seats but not the premises.

OVERTIME.

17. (a) All time worked on any day before or after the regular working hours or in excess of 8 hours on any one day, or in excess of 40 hours in any one week, shall be paid for at the rate of time and a half for the first three hours and double time thereafter.
- (b) In computing overtime each day's work shall stand alone.
- (c) An employee required to work overtime for more than two hours without being notified on the previous day or earlier than he will be so required to work overtime shall either be supplied with a meal by the employer or paid 5s. 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 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 the meals which he has provided but which are surplus.
- (d) Any employees required to work overtime on Monday to Friday inclusive for more than 1½ hours on any one day shall be allowed ten minutes' crib time with pay at ordinary rates before commencing such overtime, except in cases where a minimum meal break of 30 minutes is given.
- (e) No junior male worker (under the age of 16 years) or any female employee shall work overtime after 9 p.m.
- (f) Any employee shall have completed his normal daily hours before overtime payment commences for such day, excepting in cases where failure to do so is due to causes outside his control or where time off has been with the employer's consent.
- (g) 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.

18. (a) All employees shall be entitled to the holidays hereinafter mentioned without deduction of 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 above-named holidays this provision shall apply only to the day so substituted.

(b) In the Metropolitan District as defined in the Labour and Industry Act, Melbourne Cup Day shall be observed as a holiday in lieu of Queen's Birthday.

(c) Piece-workers shall be paid for such holidays even though not worked at the ordinary rates payable to employees not on piece-work doing the same class of work. The rate shall be one-fifth of the appropriate weekly wage.

(d) If an employee's engagement is legally terminated otherwise than for misconduct within two weeks of any of the holidays abovementioned, he or she shall be paid for such holiday or holidays unless he or she commences work with another employer and is paid by such employer for such holiday or holidays.

(e) Where an employee is absent from his or her employment on the working day or part of the working day before or after a holiday without reasonable excuse or without the employer's consent such employee shall not be entitled to payment for such holiday. The amount to be deducted shall be one-fifth of the appropriate weekly wage.

PAYMENT OF WAGES.

19. (a) Employers shall pay all moneys due at least once in each week in the employer's time or within five minutes of knocking off, and not later than Thursday in each week, excepting in cases where the local Branch or Section of the Federation gives written permission to an employer to substitute "Friday" in lieu of "Thursday". Time waiting for payment after such five minutes shall be paid for at overtime rates.

(b) Any employee who has worked only a portion of a week and who is dismissed by his employer or has left his employment after the giving of a week's notice, shall be paid on ceasing for all time worked during that week less any deductions that the employer may be lawfully entitled to make hereunder.

(c) Each employer shall be entitled to retain in hand from each employee an amount equal to two days' wages of such employee.

(d) On any pay day the employer shall state to each employee in writing the amount of wages to which he is entitled, and the amount of overtime paid or the number of hours of overtime, the amount of deductions made therefrom and the net amount being paid to him and the date to which wages are paid.

TRAVELLING TIME.

20. Any employee sent to work at a place other than his or her ordinary place of employment shall be paid all fares and out of pocket expenses incurred in going to or from such place of employment, and shall, if the travelling is done outside ordinary hours, be paid at ordinary rates for the time spent in travelling with a maximum of eight-hours per day.

SICK AND ACCIDENT PAY.

21. (a) An employee absent through illness or accident shall not be entitled in any year (whether in the employ of one employer or several, except as hereinafter provided) to leave in excess of 40 hours of working time. For this purpose a year shall commence on: the 1st day of July.

(b) An employee 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.

(c) An employee before becoming entitled to sick pay shall if required to do so by the employer produce a doctor's certificate or other sufficient evidence of sickness.

(d) An employee shall not be entitled to sick leave unless he has been in the service of the employer concerned for at least four weeks immediately prior to such absence.

(e) If the full period of leave as prescribed above is not granted in any year with an employer such portion as is not granted shall be cumulative from year to year with that employer up to a period not exceeding 80 hours' working time, which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

(f) Service before the date of coming into force of this clause shall be counted as service for the purpose of qualifying thereunder.

ANNUAL HOLIDAY.

22. 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.

OUTDOOR WORK.

23. (a) All work shall be performed at the shop or factory of the employer, and no employer shall give out work to be performed at any other place or permit work to be performed at any other place; and no employee shall perform work for an employer at any other place.

(b) No employee (including an apprentice or unapprenticed junior worker) in employment shall make or assist in the production of goods for sale on his own account or for any other employer.

EMPLOYER TO FIND WORKSHOP, ETC.

24. The employer shall find workshops, light, and bench room and supply all materials used in connexion with the trade free of charge to the employees.

CERTIFICATE OF SERVICE.

25. Any junior worker when leaving or being discharged from his or her employment shall be given by the employer a certificate stating the date when such employment began and the date when such employment terminated.

LIMITATION OF EMPLOYER'S LIABILITY.

26. Where an employer has made a payment to an employee which payment purports to be a payment of the wages payable under this Determination to the employee for any period, such employee shall not recover from his employer any further sums prescribed by this Determination in respect of any services rendered to such employer during such period, unless within a period of three calendar months after the last day of such period a demand in writing of such further sum claimed has been given to the employer by the employee or some person on his behalf.

TIME AND WAGES BOOKS, CARDS, ETC.

27. (a) Each employer shall keep in each factory, workshop, or place where work is carried on by him, some card or check used in connexion with a mechanical clock or a time and wages book showing the name of each employee and his or her occupation, the hours worked each day, and the wages and allowances paid each week.

(b) Where a time-book is kept it shall be correctly entered up in ink, in the English language and shall be signed each week by the employee verifying the accuracy of the hours worked and the wages and allowances paid each week.

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

(d) The time and wages book shall be open for inspection to not more than two officers of the Federation duly accredited in writing by the Federation 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 Federation or the district secretary or organizer of any division suspects that a breach of the Determination has been or is being committed. Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

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

DINING ACCOMMODATION.

28. (a) In factories where five or more employees are employed and it is or becomes reasonably practicable so to do, a separate room or portion of the factory or workshop shall be set aside by the employer as a dining room and therein the employer shall provide adequate table and seating accommodation.

(b) Hot water shall be provided free of charge to be available to employees immediately meal time commences.

(c) The employer shall provide the necessary labour to keep such room clean.

(d) If such dining room is not regularly used by a reasonable number of the employees the employer shall be released from his obligations under sub-clauses (a) and (b) hereof.

REST ROOM.

29. In factories where five or more female employees are employed, a properly ventilated rest room shall be provided for the use of such female employees. It shall contain a suitable couch and seating accommodation.

FIRST-AID OUTFIT.

30. (a) The employer shall provide and continuously maintain an efficient first-aid outfit in each factory controlled by him.

(b) An efficient first-aid outfit shall contain the following equipment:—

Article.	Quantities to be Kept in Ambulance Chest in any Factory or Workshop.
Antiseptic Solution	1 bottle
Bandages, cotton and gauze	$\frac{1}{2}$ doz. assorted sizes
Castor oil	$\frac{1}{2}$ doz
Manual, First Aid	1
Iodine, tincture of	1 oz
Petroleum, carbolized	1 jar
Tannic Acid Jelly	1 tube
Pins, safety	1 packet
Sal volatile	4 ozs
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Eyes bath and dropper	1 of each
Cotton, absorbent	} An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

SHOP STEWARDS.

31. (a) Shop stewards or Federation representatives shall be granted reasonable facilities for the carrying out of their duties.

(b) Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representatives on matters covered by this Determination affecting the employees whom they represent.

UNION BUSINESS.

32. Officers or members of the Federation or any branch thereof may leave their work to attend to the business of the Federation after at least three days' notice has been given to the employer but without being paid while absent.

POSTING DETERMINATION AND NOTICES.

33. (a) In each factory in which five or more employees are employed, the employer shall provide a notice board in the workroom of each department and the Federation shall be permitted to post formal shop and Federation notices on such board: Provided that the notices so posted shall be signed by the President, Secretary, or shop steward of the Federation.

(b) Every employer shall post and keep posted a copy of the Determination in a place accessible to all employees.

PAYMENT BY RESULTS.

34. Subject to employees receiving at least the appropriate minimum time rate prescribed by this Determination and subject to the following provisions of this clause, any employer may remunerate his employees under any piecework system, individual or group bonus system or other system of payment by results:—

(a) The employer may fix piecework rates, or other rates based on tasks set (subject to sub-clause (d) hereof), by a method of accurate time measurement determined by the employer provided that such rates enable employees who apply average skill and effort and working under normal conditions, to earn 10 per cent. above ordinary time rates; or

(b) The employer may (subject to sub-clause (d) hereof) adopt any form of bonus system including profit sharing or other like systems.

(c) A factory board shall be appointed consisting of two representatives nominated by the employer and two of his employees nominated by his employees covered by this Determination.

(d) The rates fixed in accordance with sub-clause (a) hereof and the bonus systems adopted in accordance with sub-clause (b) hereof shall be approved by the Factory Board provided that if the employees fail to appoint representation to such board or fail to attend a meeting of such Board called by the employer on a date not less than seven days after the service of notice of a meeting on the employees' representatives, the employer may adopt such rates or adopt such system of payment by results as he shall deem reasonable.

(e) Piecework and similar rates once fixed shall not, subject to other provisions of this clause, be altered except where warranted by change of circumstances, operations, method or materials or to correct a demonstrable clerical error or by mutual agreement.

(f) Determination variations shall be incorporated into the payment by results system on a basis agreed by the Factory Board.

(g) Overtime penalties, shift premiums, and other penalty rates prescribed by this Determination shall be a separate addition on the appropriate time rate basis to any earnings calculated by way of any system of payment by results.

(h) Employees waiting on the employer's premises, at the employer's request, ready and willing to work shall, for each pay period, receive at least the time rate prescribed for their occupation.

(i) Journeymen on piecework teaching learners (not in the employ of the pieceworker) on piecework—10 per centum of piecework rates extra whilst so employed.

RIGHT OF ENTRY OF UNION OFFICIAL.

35. (a) A duly accredited representative of the Federation shall have the right to enter employers' workshops during the midday meal hour for the purpose of interviewing employees on legitimate Union business, on the following conditions :—

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

(b) Where a Union official holding the right of entry under this clause suspects that a breach of the Determination is occurring or has occurred he shall be afforded the opportunity to enter the factory during working hours and view the work in question : Provided that during such inspection the official shall not obstruct or interfere with the work in any way or converse with the employees while at work.

A Union representative shall be a duly accredited representative of the Federation if he be the holder for the time being of a certificate, signed by the General Secretary 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.

(SEAL.)

General Secretary.

(Specimen signature of holder).....

Date.....

Strictly not transferable.

PERIODICAL ADJUSTMENT OF WAGES.

Adult Males.

36. The wages rates set out for males in clause 3 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 37.

BASIC WAGE.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Victoria— Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts Yallourn—6s. 6d. in excess of basic wage for Melbourne. Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.	£ s. d. 11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in August, 1955, the amount of the basic wage shall be as prescribed in clause 36.

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

In all cases where for the same class of work the same rates have been prescribed for journeywomen as are prescribed for journeymen, the rates for such journeywomen shall be increased or decreased in the same manner and by the same amount as the rates for journeymen.

MARGINS.

Adult Males.

38. (a) In addition to the basic wage prescribed in clause 36 the following margins shall be paid :—

Classification.	Margin.
	Per Week.
Journeymen	£ s. d. 2 15 0

Adult Females.

(b) The minimum rate per week to be paid to adult female employees shall be the equivalent of the below stated percentage of the basic wage for adult male employees indicated in clause 36 hereof calculated to the nearest sixpence (half or less than half of sixpence to be disregarded) and in addition thereto the marginal rate specified.

Percentage of Total Base Rate.	Margin.
	Per Week.
75 per cent.	s. d. 20 0

Apprentices—Males.

(c) The minimum rates of wage to be paid to apprentices or probationers shall be not less than the following :—

Experience.	A total payment per week at the equivalent of the below stated percentage of the basic wage for adult male employees indicated in clause 36 hereof, calculated to the nearest 6d. (half or less than half of 6d. to be disregarded).
	%
Five-year term—	
First year's experience	30
Second year's experience	35
Third year's experience	50
Fourth year's experience	80
Fifth year's experience	100
Four-year term—	
First year's experience	30
Second year's experience	50
Third year's experience	80
Fourth year's experience	100

Junior Workers—Males.

(d) Junior workers may be employed at the following rates of pay :—

Age.	A total payment per week at the equivalent of the below stated percentage of the basic wage for adult male employees indicated in clause 36 hereof, calculated to the nearest 6d. (half or less than half of 6d. to be disregarded).
	%
Under 16 years of age	30
16 and under 17 years of age	40
17 and under 18 years of age	50
18 and under 19 years of age	60
19 and under 20 years of age	80
20 and under 21 years of age	100

Junior Workers—Females.

(e) Female junior workers may be employed at the following rates of pay :—

Age.	A total payment per week at the equivalent of the below stated percentage of the basic wage for adult female employees indicated in clause 36 hereof, calculated to the nearest 6d. (half or less than half of 6d. to be disregarded).
	%
Under 16 years of age	40
16 and under 17 years of age	50
17 and under 18 years of age	57
18 and under 19 years of age	64
19 and under 20 years of age	70
20 and under 21 years of age	87

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

J. V. WILLOX, Secretary.

Melbourne, 9th May, 1955.



VICTORIA
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No. 433]

MONDAY, JULY 4.

[1955

Labour and Industry Act 1953.

DETERMINATION OF THE SHOPS BOARD No. 16 (HARDWARE).

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the *Labour and Industry Act 1953*; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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 persons employed in the business of a seller of hardware—wholesale or retail”—but not including:—

- (a) persons employed in assembling ordered goods kept in a bulk store or iron yard;
(b) persons employed as storemen, packers, or sorters—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 5th April, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers. (The Masculine to include the Feminine.)			Other Employees. (The Masculine to include the Feminine.)		Metropolitan District.	Outside Metropolitan District where Determination Applies.
WAGES.			WAGES.		Per week of 40 hours.	Per week of 40 hours.
	Percentage of Basic Wage.	Per week of 40 hours. <i>s. d.</i>			<i>£ s. d.</i>	<i>£ s. d.</i>
Under 15 years of age	40	94 0	Departmental managers, or branch managers having under their control— 3 or more salesmen, 21 years of age or over	16 16 6	16 13 6
At 15 years of age	42	98 6	Other Branch Managers	15 12 0	15 9 0
At 16 years of age	48	113 0	Outside salesmen	14 9 9	14 6 9
At 17 years of age	63	148 0	Salesmen or Buyers	14 5 0	14 2 0
At 18 years of age	80	188 0	Assemblers of Ordered Goods	13 15 6	13 15 6
At 19 years of age	97	228 0				
At 20 years of age	100 + 15s.	250 0				
<p style="text-align: center;">PROPORTION (in any shop or place).</p> <p>One apprentice to every three workers or fraction of three workers employed, and receiving not less than the minimum wage.</p> <p>One improver to one worker Two improvers to two, three or four workers Three improvers to five, six or seven workers Four improvers to eight workers Five improvers to nine or ten workers and thereafter one improver to every two or fraction of two workers.</p> <p style="text-align: right;">} Receiving not less than the rates fixed for assemblers of ordered goods.</p>			<p style="text-align: center;">NOTE.—See Clause 20 <i>re</i> Definitions.</p>			

3.	TIMES OF BEGINNING AND ENDING WORK.	Time of Beginning.	Time of Ending
	On the usual Half Holiday	8 a.m.	noon.
	On all the other working days of the week	8 a.m.	5.30 p.m.

4.	* OVERTIME.	
	Within the times fixed for beginning and ending work in excess of 40 hours	} Time and a half, with a minimum payment of 1s. per hour.
	Outside the times of beginning and ending work	

MEAL MONEY.

5. Where overtime, as in the preceding clause, is performed on any day in the week, an allowance of 5s. shall be made for meal money, and shall be paid on the day when such work is performed.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

6. Treble time shall be the rate for all work done on Easter Saturday, and double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day and Boxing Day, and within the Metropolitan District Melbourne Cup Day and after 12 noon on Melbourne Show Day. If any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays the rate shall be payable for work done only on the day so substituted. All employees shall be entitled to the abovenamed holidays without deduction of pay.

PUBLIC HOLIDAYS.

6A. New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day and Boxing Day, or any day by Act of Parliament or Proclamation substituted for any of the said days shall be observed as Public Holidays.

TIME RATE.

7. Any person 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 20 hours be paid—

(a) In any week in which two or more Public Holidays occur At the ordinary wages rate with an addition of fifty per centum.

(b) In any other week At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for each hour worked beyond the 20 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing sick leave under this Determination.

TERMINATION OF EMPLOYMENT.

8. Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof.

PAY DAY.

9. All wages, overtime, &c., shall be paid not later than Thursday of each week.

NOTICE TO WORK OVERTIME.

10. No employee shall be obliged to work overtime unless he has received at least 24 hours' notice of same.

NOTICE OF INTENTION TO RATION.

11. Where an employer owing to slackness of trade desires to ration his employees, he shall give seven days' notice to each employee of his intention to ration such employee.

ANNUAL LEAVE.

12. 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.

13. (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—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 October, 1947, shall be disregarded. No employer shall terminate the services of an employee during a period of sick leave with the object of avoiding his obligations under this sub-clause.

MEAL INTERVALS.

14. One hour shall be given for a meal, between the hours of noon and 3 p.m.

BICYCLE ALLOWANCE.

15. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 1s. per day or part thereof for each day on which he is so required to use such bicycle, shall be paid by the employer.

GARMENT ALLOWANCE.

16. Any employee who is required to wear, when at work, a washable outer garment, dust coat, or overall, shall be paid 4s. per week in addition to the ordinary wage, unless the garment is both provided and laundered by the employer.

REFERENCE.

17. On an employee being dismissed or leaving his employment he shall be entitled to a reference showing his period of service and qualifications.

TIME AND WAGES RECORDS.

18. Time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to, each employee, shall be kept by his employer and completed weekly. Such records shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia.

Provided that an inspection shall not be demanded unless the Secretary or other paid official of the Union suspects a breach of the Determination has been committed.

REST PERIOD.

19. A rest period of ten minutes each morning and afternoon shall be granted each employee, such periods are to be counted as time worked.

DEFINITIONS.

20. "Departmental manager" shall mean a person having the control of one or more salesmen, 21 years of age or over, notwithstanding he may be under the orders of a general manager.

"Branch manager" shall mean and include a person for the time being entrusted with the control or superintendence of a shop or of a branch shop (the proprietor of which is trading under his own or a different name), notwithstanding such manager may be under the orders of a superior who does not devote the whole of his time to the management of the said shop or branch shop.

"Outside salesman" shall mean an employee who for at least half the working hours in any week solicits or receives orders for goods while absent from the shop where he is employed, whether such goods are kept in stock or have to be procured in order to fulfil such orders.

"Assembler" shall mean an employee 21 years of age or over who is engaged in assembling goods for order and despatch from salesmen's and/or travellers' lists or invoices.

FIRST-AID OUTFIT.

21. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rates 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 by the same amount and at the same time as such basic wage as prescribed by clause 23.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 11 15 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in May, 1955, the amount of the basic wage shall be as prescribed in clause 22.

(c) During each future successive period beginning with the first pay period to commence in a 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 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.

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

J. W. RYAN, Secretary.

Melbourne, 21st March, 1955.

NOTE—This Determination was made pursuant to the provisions of the *Labour and Industry Act 1953*, and in his or her own interest each employer of Labour should obtain a copy of the said Act which may be purchased from the Government Printer, Melbourne.



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MONDAY, JULY 4.

[1955

Labour and Industry Act 1953.

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

NOTE.—1. On the 9th March, 1921, this Board was appointed in lieu of the Drapers Board and the Men's Clothing Board.

2. This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Labour and Industry Act 1953 the cities of Ballarat, Bendigo, Geelong, Geelong West, Warrnambool, and Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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 persons employed in the business of a seller of—

(a) any article of men's or boys' clothing (whether made to order or otherwise), mercery, or wearing apparel, including underclothing, hats, and caps;

(b) goods usually sold by drapers or haberdashers, including mantles, costumes, millinery, gloves, stockings, and underclothing," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 17th March, 1955, the last previous Determination of this Board, shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.					Other Employees.		
Wages per Week of 40 Hours.					Wages per Week of 40 Hours.		
Age.	Females Employed in Dress, Manchester, Drapery Furnishings, Prints, Silks, Men's or Boy's Clothing Departments, and All Males.		Other Females.		Males.	Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
	Percentage of Basic Wage.		Per- centage of Female Basic Wage.				
		s. d.		s. d.			
Under 15 years of age	40	94 0	48	84 6			
At 15 years of age ..	42	98 6	51	90 0			
At 16 years of age ..	48	113 0	55	97 0			
At 17 years of age ..	63	148 0	62	109 0			
At 18 years of age ..	80	188 0	73	128 6			
At 19 years of age ..	97	228 0	83	146 0			
At 20 years of age ..	100 + 15s.	250 0	97	170 6			
					Manager (other than department manager), i.e., a person entrusted with the control or superintendence of a shop, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of the said shop	312 6	309 6
					Department manager, i.e., a person in control of three or more salesmen or saleswomen 21 years of age or over, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such depart- ment	299 0	296 0
					Person in charge of an order tailoring establishment	304 6	304 6

Apprentices or Improvers.	Other Employees.		
	*Wages per Week of 40 Hours.		
		Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
PROPORTION (in any Shop or Place).	<i>Males.</i>	<i>s. d.</i>	<i>s. d.</i>
APPRENTICES.			
<i>Males.</i>			
One male apprentice to every three or fraction of three male workers receiving not less than 282s. per week of 40 hours.	Pattern-men, assemblers, or salesmen	285 0	282 0
	Canvassers, who are in any way connected with the sale of goods	289 0	286 0
	Collectors who, in addition to their duties of collecting, are in any way connected with the sale of goods	289 0	286 0
	Foreman packer or storeman, i.e., a person in control of four or more packers or storemen, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department	284 6	281 6
	Packers or storemen	278 0	275 0
	Porters	267 6	264 6
	All others	285 0	282 0
<i>Females.</i>	<i>Females.</i>		
One female apprentice to every three or fraction of three female workers receiving not less than 198s. per week of 40 hours.	Manageress (other than department manageress)—		
	(a) A person (other than a person provided for under (b) hereof) entrusted with the control or superintendence of a shop stocking dress or Manchester goods, drapery furnishing, prints, silks, men's or boy's clothing, or female wearing apparel, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of the said shop	304 6	301 6
	(b) A person working singly or in control of not more than three salesmen or saleswomen entrusted with the control or superintendence of a shop stocking female wearing apparel, notwithstanding she may be under the orders of a superior who does not devote his or her whole time to the management of the said shop	236 6	233 6
	Department or section manageress—		
	(a) in control of three or more salesmen or saleswomen 21 years of age or over, in dress, Manchester, drapery furnishing, prints, silks, men's or boy's clothing, departments, or section thereof, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department or section thereof	292 6	289 6
	(b) In control of three or more saleswomen 21 years of age or over in any other department, or section thereof notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department or section thereof	223 6	220 6
	Saleswomen selling goods usually sold in dress, Manchester, drapery furnishing, prints, silk, men's or boy's clothing departments	285 0	282 0
	Other saleswomen or pattern women, or assemblers	201 0	198 0
	Packers	243 0	240 0
	Canvassers who are in any way connected with the sale of goods	201 0	198 0
	Porters	243 0	240 0
	All others	201 0	198 0
An indenture of apprenticeship prescribed by the Board was approved on 25th January, 1924.			
IMPROVERS.			
One male improver to every male person receiving not less than 282s. per week of 40 hours.			
Two female improvers to one female person	} receiving not less than 198s. per week of 40 hours.		
Four female improvers to two female persons, and thereafter—			
One female improver to each additional female person			
Provided that two improvers may be permitted where a shop is operated by a male proprietor or manager as the only senior.			
Provided further that one female improver in lieu of one male improver or one male improver in lieu of one female improver may be employed.			

FLOOR SUPERVISORS, FLOOR WALKERS AND/OR SUPERINTENDENTS.

3. Floor supervisors, floor walkers and/or superintendents shall be paid 5 per centum over and above the rate fixed for persons 21 years or over, provided that any person acting as floor supervisor, floor walker and/or superintendent for less than 20 hours in any one week shall not be entitled to the additional 5 per centum.

4.

TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
On the usual half-holiday	9.5 a.m.	noon.
On the other working days of the week	9.5 a.m.	5.30 p.m.

OVERTIME.

5. The following rates shall be paid for all work done:—

- (a) By persons (including apprentices and improvers) employed as salesmen or saleswomen—
 - (1) Before 9 a.m. Five time the ordinary rate.
 - (2) Outside the times of ending work Double time.
 - (3) Within the times of beginning and ending work in excess of 40 hours Double time.
- (b) By all other persons (1) Outside the times of beginning and ending work Double time.
- (2) Within the time of beginning and ending work in excess of 40 hours Double time.

CLOTHING.

6. Where any employee is required by his employer to wear any special uniform, dress, or clothing, it shall be supplied, paid for, and if necessary, laundered by the employer. Any such garment shall remain the property of the employer.

MEAL MONEY.

7. Any employee required to work after the usual finishing hour of work or before the usual commencing hour of work beyond one hour shall be paid not less than 5s. meal money in addition to the overtime rates as prescribed for in this Determination.

TERMS OF EMPLOYMENT.

(a) Weekly Employment.

8. Except as hereinafter provided employment shall be by the week and a weekly employee who is ready willing and available to work the number of hours prescribed herein as a week's work shall be paid the full weekly wage fixed herein irrespective of the number of hours worked not exceeding 40: provided however, that such an employee not attending for duty except as provided by clause 14 (sick leave) hereof shall lose his or her pay for the actual time of such non-attendance.

Provided further that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing sick leave under this Determination.

(b) Part Time.

A weekly employee not ready willing and available to work the full number of hours normally worked by employees of similar classification with the same employer, but who is ready willing and available to work a specified lesser number of hours at his or her own request shall be paid *pro rata* the wages prescribed herein for 40 hours' work according to the number of hours worked: provided that the proportion of part time employees in any shop shall not exceed one for each three or fraction of three engaged as weekly employees.

(c) Casual Employment.

Where a person is ready willing and available to work the number of hours required by an employer, such being less than the number of hours prescribed herein as a week's work, he or she shall be paid as follows:—

(i) For time worked up to the first 20 hours—

In any week in which two or more Public Holidays occur—at the ordinary wages rates plus 50 per cent.
In any other week—at the ordinary wages rate plus 33½ per cent.

(ii) For time worked beyond the 20 hours aforesaid—the ordinary wages rate, provided that the total amount payable, excluding any overtime, shall not exceed the wage prescribed for a week's work.

(iii) An employee shall be entitled to a minimum payment as for 2 hours 55 minutes' work on a Saturday or for four hours' work on any other day.

(iv) Any employee who is required to work—

less than 20 hours in any week, or

less than 25 hours in any week, if any period of such work occurs during a Friday or a Saturday, shall be

deemed a casual employee and paid accordingly.

MEAL INTERVALS.

9. All employees who work more than four hours in the day shall be allowed the following meal intervals with permission to leave the shop for the whole of such intervals viz. :—

From Monday to Friday, one hour for lunch between noon and 3 p.m.

REST PERIOD.

10. All employees shall be allowed two rest intervals on each day (Monday to Friday inclusive) as follows:—(a) The first of ten minutes to be allowed between the time of commencing work and the usual meal interval; (b) the second of ten minutes to be allowed between the usual meal interval and the time of ceasing work for the day. Such intervals are to be counted as part of time worked.

TERMINATION OF EMPLOYMENT.

11. Except in a case where an employee or an employer has been guilty of misconduct, or where an employee has been engaged temporarily for a period not exceeding six weeks in duration, seven days' notice of termination of employment shall be given by either party or one week's wages paid or forfeited, as the case may be, in lieu thereof.

NOTICE OF INTENTION TO RATION.

12. Where an employer owing to slackness of trade desires to ration his employees, he shall give seven days' notice to each employee of his intention to ration such employee.

ANNUAL HOLIDAY.

13. 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.

14. (a) Any employee who, having had a 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—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, 1948, shall be disregarded.

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 this sub-clause.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

15. The special rates for all work done on Sundays or the undermentioned Holidays shall be—

- Sunday Double time.
- New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday } Double time.
- Melbourne Cup Day (Metropolitan District only), Christmas Day, Boxing Day, and after } Double time.
- 12 noon on Show Day in such localities mentioned in the Sixth Schedule to the *Public Service Act 1946* as are within the area to which this Determination applies

Easter Saturday—

- (a) In the area enclosed by and including Flinders-street, Spencer-street, Lonsdale-street, and Spring-street in the City of Melbourne Five times the ordinary rate.
- (b) In all other places where this Determination applies Double time.

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.

PUBLIC HOLIDAYS.

15a. New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Christmas Day, Boxing Day, and within the Metropolitan District, Melbourne Cup Day or any other day by Act of Parliament or Proclamation substituted for any of the said days shall be observed as Public Holidays.

HOLIDAYS.

16. A weekly employee shall be entitled to the Public Holidays mentioned in clause 15 without deduction of pay.

FIRST-AID OUTFIT.

17. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

BICYCLE ALLOWANCE.

18. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 1s. for each day, or part thereof on which he is required to use such bicycle in addition to the ordinary wage shall be paid to such employee.

REFERENCE.

19. An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive from such employer a reference in writing, stating his or her period of service and qualifications. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

TIME AND WAGES RECORDS.

20. An employer shall keep time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to each employee. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia. Provided that an inspection shall not be demanded unless the Secretary or other paid official of the union suspects that a breach of the Determination has been committed.

PAYMENT OF WAGES.

21. All wages due shall be paid not later than Thursday in each week, and must be paid during working hours.

PERIODICAL ADJUSTMENT OF WAGES.

22. 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 by the same amount and at the same time as such Basic Wage as prescribed by clause 23.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	11 15 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in May, 1955, the amount of the basic wage shall be as prescribed in clause 22.

(c) During each future successive period beginning with the first pay period to commence in a 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 .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, provided that adult females selling goods usually sold in dress, Manchester, drapery furnishing, prints, silk, or men's or boy's clothing departments and a manageress, or department or section manageress associated with a shop or department selling the same class or classes of goods shall from time to time have their rates adjusted to accord with the rates prescribed for adult males selling goods usually sold in the said departments.

(e) 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.

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

J. W. RYAN, Secretary.

Melbourne, 11th March, 1955.

NOTE.—This Determination was made pursuant to the provisions of the *Labour and Industry Act 1953*, and in his or her own interest each employer of labour should obtain a copy of the said Act which may be purchased from the Government Printer, Melbourne.