



VICTORIA GOVERNMENT GAZETTE.

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[1955

Labour and Industry Act 1953.

DETERMINATION OF THE HOSPITAL PHARMACISTS 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 dispensing, compounding, or selling medicines, drugs or medicinal preparations in hospital dispensaries" has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in August, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices.			Other Employees.	
WAGES PER WEEK OF 40 HOURS.			WAGES PER WEEK OF 40 HOURS.	
	Percentage of Basic Wage.	£. s. d.		£ s. d.
1st year's experience	26	3 2 6	<i>Chief Pharmaceutical Chemist—</i> (i.e. A pharmaceutical chemist in charge of the pharmacy department of a hospital.)	
2nd " " " "	47	5 13 0	(a) Where four or more full time pharmaceutical chemists are normally employed	30 2 6
3rd " " " "	68	8 3 0	(b) Where two or three full time pharmaceutical chemists are normally employed	27 10 0
4th " " " "	88	10 11 0	(c) Where he is the only pharmaceutical chemist employed	24 17 6
5th " " " "	100 plus 15s.	12 15 0	<i>Senior Pharmaceutical Chemist</i>	22 1 0
PROPORTION.			Where three or more full time pharmaceutical chemists are normally employed, one shall be a Senior Pharmaceutical Chemist, and shall take charge of the pharmacy department during the absence of the Chief Pharmaceutical Chemist	
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.			<i>Other Hospital Pharmaceutical Chemist—</i>	
When the term of apprenticeship is four years, and the apprentice has not been successful in completing his examinations, he may, with the permission of the Secretary for Labour and Industry and the Pharmacy Board, be bound for a further period not exceeding one year.			1st year's experience as such	19 17 6
			2nd " " " "	20 5 0
			3rd " " " "	20 12 6
			Thereafter " " " "	21 0 0

MIXED FUNCTIONS.

3. A pharmaceutical chemist (other than a Senior Pharmaceutical Chemist) called upon to perform for a period of not less than one week, or more than nine weeks, duties for which a higher rate is provided in clause 2 hereof shall be paid such higher rate whilst he is so required to act.

ORDINARY HOURS OF WORK.

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

TIMES OF BEGINNING AND ENDING WORK.

5. The ordinary spread of hours shall be between the following hours:—

Time of Beginning.	Time of Ending.
9 a.m.	6 p.m. on each of the five ordinary working days in the week.
9 a.m.	1 p.m. on Saturday.

The hours for a day's work shall be continuous except for a meal break as prescribed in clause 14.

OVERTIME.

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

Outside the times of beginning and ending work	} Time and a half.
Within the times of beginning and ending work in excess of 40 hours in any week	

WEEKLY WAGE.

7. An employee (other than a casual employee) shall be paid the full weekly wage fixed in this Determination irrespective of the number of hours worked not exceeding 40 per week.

CASUAL LABOUR.

8. A casual employee (i.e., a person employed for not more than 26 hours in any one week) shall be paid at the rate of time and a half.

RELIEVERS.

Definition.

9. (a) A reliever is a temporary employee who is called upon to relieve any employee or employees during his, her, or their absence from work for any cause, for a period not exceeding three months.

Wages.

(b) A reliever shall be paid not less than the ordinary rate prescribed in clause 2 for the class of work done, with the addition of 10 per cent.

Distant Jobs.

(c) Where a reliever cannot conveniently return to his or her home on the completion of each day's work he or she shall have reasonable accommodation arranged and paid for by the employer. In addition he or she shall be entitled to be reimbursed fares necessarily expended in travelling to the job, and in returning to his or her home town on its completion. In the case of train travel such fares shall be first class.

Fares for Jobs, Other than Distant Jobs.

(d) Where a reliever can conveniently return to his or her home on the completion of each day's work, he or she shall be paid fares in excess of 1s. per day reasonably expended in travelling between his or her home to and from the job.

DEDUCTION FOR BOARD AND LODGING.

10. (a) Where an employee is required to reside at the hospital a sum of not more than 50s. per week may be deducted from his or her wages for board and lodging.

(b) Where an employee is required to live in a residence provided for such purpose by the hospital by which he is employed, and board is not provided for him a sum not exceeding 10% of his ordinary wage may be deducted as rent for such residence.

MEAL ALLOWANCE.

11. When overtime in excess of one hour is worked after the usual time of ceasing work for the day, the employee shall either be supplied with a meal, or paid an allowance of 3s. 6d. in lieu thereof.

SPECIAL RATES.

12. Double time shall be the special rate payable for all work done on Sundays, and the days observed as New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday Melbourne Cup Day (within a radius of 20 miles of the G.P.O. Melbourne), Christmas Day, and Boxing Day; and such other days as may be proclaimed as Public Holidays by Act of Parliament or Proclamation. Provided that the Tuesday following Easter Monday, and the day following Boxing Day, should such following day be other than a Saturday, shall not be deemed to be Public Holidays, and the penal rate herein prescribed shall not be payable whether such days are so proclaimed or otherwise.

APPRENTICE NOT OBLIGED TO WORK OVERTIME.

13. An apprentice shall not be required to work overtime unless he or she so desires.

MEAL BREAK.

14. A meal break of not less than 45 nor more than 60 minutes shall be allowed daily (Monday to Friday inclusive) to each employee.

REST PERIOD.

15. At a time suitable to the employer a rest interval of ten minutes shall be given to each employee during each morning and afternoon and shall be counted as time worked.

UNIFORMS.

16. Each employee shall be provided with a minimum of two washable coats per week. Such coats shall remain the property of the employer and be laundered free of cost to the employee. Where a reliever is required to provide and launder his or her own coats he or she shall be paid an allowance at the rate of 5s. per week.

TIME BOOK.

17. Each employer shall provide and cause to be kept a time book in the pharmacy department or other suitable place in which each pharmaceutical chemist shall daily enter his or her daily starting and finishing times. Such time book shall be available for inspection to the Secretary of the Federated Pharmacists Assistants' and Dispensary Employees' Guild.

SICK LEAVE.

18. (a) Where an employee is disabled by personal ill health or accident, proof of which is given to the employer by the production of a certificate from a legally qualified Medical Practitioner, statutory declaration, or other evidence satisfactory to the employer, within 48 hours of the employee's consequential absence, he or she shall be entitled, on account thereof, without deduction of pay at ordinary rates to absent himself or herself as follows:—

- (i) During the first year of service in an institution—one working day for each month of service.
- (ii) During the second, third, and fourth years of service in an institution—fourteen working days in each year.
- (iii) Thereafter—twenty-one working days in each year.

Sick leave shall be in addition to the annual leave provided in clause 19.

Provided that an employee may be absent through sickness for one day without furnishing evidence of such sickness as provided in sub-clause (a) hereof on not more than three occasions in any one year of service.

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof 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 August, 1947, shall be disregarded.

(c) Notwithstanding any other provision in this clause an employee who contracts an infectious disease in the course of his or her duties and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the institution shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

ANNUAL LEAVE.

Period of Leave.

19. (a) An employee who has been in the service of the same employer for a period of not less than twelve months shall be granted three weeks' leave without deduction of pay.

Annual Leave Exclusive of Public Holidays.

(b) The annual leave prescribed in sub-clause (a) hereof shall be exclusive of any of the holidays prescribed by clause 12 hereof 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.

Leave to be Taken.

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

Time of Taking Leave.

(d) Annual leave shall be given at a time determined by mutual agreement between the employer and the employee within a period not exceeding three 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.

(e) 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 from whatever remuneration is payable to the employee, deduct 3/49 of a week's pay for each week required to complete the period of twelve months' service.

Payment for Period of Leave.

(f) Each employee before going on leave shall be paid for the period of such leave provided the period is not less than one week.

Proportionate Leave.

(g) Where the employment of any employee is terminated at the end of a period of employment of less than twelve months the employer shall forthwith pay to the employee, in addition to all other amounts due to him, an amount equal to 3/49 of his ordinary pay for that period of employment.

PAYMENT OF WAGES.

20. Wages shall be paid not later than the time for finishing work on Thursday in each week.

LONG SERVICE LEAVE.

21. (a) An employee who has been in the service of an Institution or Institutions, registered under the *Hospital and Charities Act*, for a period of 20 years shall be entitled to six months' long service leave or payment in lieu thereof in accordance with the following provisions:—

- (i) Subject to paragraph (iv) hereof the long service leave or payment in lieu thereof shall be given on retirement or, by mutual agreement between employer and employee, at or subsequent to its becoming due.
- (ii) If on retirement pursuant to the provisions of the Regulations under the *Hospitals and Charities Act*, 1948, No. 5300, an employee has completed more than 20 years' service his long service leave, or payment in lieu thereof, shall be increased by one twentieth for each complete year of service in excess of 20 years.
- (iii) If on the resignation of an employee he has completed more than 20 years' service, such service, for the purpose of this clause, shall be deemed to have been of 20 years only.
- (iv) Upon the death from any cause of an employee who at the date of his death was eligible for the grant of long service leave, his employer shall pay to the legal personal representative of the deceased employee the amount that such employee would have been entitled to receive under paragraph (ii) hereof had his retirement occurred immediately prior to the date of his death.

Provided that, notwithstanding anything contained in this sub-clause (a), in the case of an employee transferring from one Institution to another the maximum amount of service for which he is entitled to be credited for the purposes of the said sub-clause at the date of such transfer shall not exceed 15 years.

(b) For the purpose of administering sub-clause (a) hereof the retirement or resignation of any employee prior to the 1st October, 1949, shall be disregarded.

(c) For the purposes of this clause the following definitions shall apply:—

"Service" shall mean service calculated as from the date of entering the present employment with the Institution and shall include all periods during which an officer was serving in Her Majesty's Forces or was made available by the employer for national duty or for other periods of absence approved by the Institution.

"Payment in lieu thereof" as referred to in paragraphs (i), (ii), and (iii) above, shall mean the rate of payment (exclusive of overtime or any allowance) being made to the employee at the time of his receiving the benefits of this clause.

TERMINATION OF EMPLOYMENT.

22. 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.

PERIODICAL ADJUSTMENT OF WAGES.

23. 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 proscribed by clause 24.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	12 0 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 November, 1955, the amount of the basic wage shall be as proscribed in clause 23.

(c) During each future successive period beginning with the first pay period to commence in a November, a February a May, or an August, 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 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, 22nd July, 1955.