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Labour and Industry Act 1953.

DETERMINATION OF THE MUSICAL INSTRUMENTS BOARD.

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

IN accordance with the provisions of the *Labour and Industry Act 1953*, the Wages Board which has the power to determine the lowest prices or rates which may be paid to any person (other than persons subject to the jurisdiction of any Board heretofore appointed) employed—

- (a) in manufacturing or tuning any musical instrument of which wood forms a part;
(b) in making or repairing brass or reed musical instruments or parts thereof—

has made the following Determination, namely:—

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

2.

WAGES.

Adults, Journeymen or Journeywomen.	Weekly Wages.	
	Within 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrambool, and in the Mldura and Gippsland Districts.	Elsewhere in Victoria.
PART I.—ADULT MALES.		
SECTION "A"—WOOD MACHINISTS AND GENERAL.		
<i>Machinist—"A" Grade.</i>		
1. Boults carver	£ s. d. 15 12 0	£ s. d. 15 9 0
2. Shaper—who grinds cutters and/or sets up and operates or who works freehand	15 12 0	15 9 0
3. Moulder—who grinds cutters sets up and operates	15 12 0	15 9 0
4. Wood turner—who grinds cutters, sets up and operates, or who works freehand	15 12 0	15 9 0
5. Router—who grinds cutters and/or sets up and operates, or who works freehand	15 12 0	15 9 0
6. Lindeman or similar jointer	15 12 0	15 9 0
<i>Machinist—"B" Grade.</i>		
7. Band and/or jig sawyer	13 17 0	13 14 0
8. Circular sawyer—who sets up and operates	13 17 0	13 14 0
9. Dovetailer—who sets up and operates	13 17 0	13 14 0
10. Buzzer—who sets up and operates	13 17 0	13 14 0
11. Planer—who sets up and operates	13 17 0	13 14 0
12. Thicknesser—who sets up and operates	13 17 0	13 14 0
13. Glue jointer—who sets up and operates	13 17 0	13 14 0
14. Tenoner—who sets up and operates	13 17 0	13 14 0
15. Turner—copying or automatic lathe—who sets up and operates	13 17 0	13 14 0
16. Morticer—who sets up and operates	13 17 0	13 14 0
17. Sander—tripledrum—who sets up and operates	13 17 0	13 14 0
18. Belt sander on veneers	13 17 0	13 14 0
19. Multiple borer—three or more bits—who sets up and operates	13 17 0	13 14 0
20. Moulder—who sets up and operates	14 2 0	13 19 0

Adults, Journeymen or Journeywomen.	Weekly Wages.	
	Within 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrambool, and in the Mildura and Gippsland Districts.	Elsewhere in Victoria.
PART I.—ADULT MALES—continued.		
<i>Machinist—"C" Grade.</i>		
	£ s. d.	£ s. d.
21. Sander—others	13 7 0	13 4 0
22. Borer—less than three bits	13 7 0	13 4 0
23. All others—including employees of any of the above-named machines (except classes Nos. 1, 6 and 18) who are not required at any time to grind cutting tools or set up the machine and who are working from templates, dies or jigs, or fences	13 7 0	13 4 0
<i>General.</i>		
24. Timber bender	13 7 0	13 4 0
25. Timber stacker	12 12 0	12 9 0
26. Yardman	12 12 0	12 9 0
27. Tailer out	12 12 0	12 9 0
28. Employees not elsewhere classified	12 0 0	11 17 0
SECTION "B"—POLISHING &C.		
29. Polisher	15 12 0	15 9 0
30. Spray hand—		
(a) engaged on finishing coats of any type	13 17 0	13 14 0
(b) engaged on priming and/or undercoating, and/or sealing	13 7 0	13 4 0
31. Employee cutting or papering down and/or filling and/or staining	13 7 0	13 4 0
SECTION "C"—PIANOS.		
32. Action regulator	15 12 0	15 9 0
33. Tuner and/or action repairer	15 12 0	15 9 0
34. Player mechanic	15 12 0	15 9 0
35. Part maker	15 12 0	15 9 0
36. Side gluer	15 12 0	15 9 0
37. Sound board maker	15 12 0	15 9 0
38. Fly finisher	15 12 0	15 9 0
39. Maker and/or repairer of musical instruments	15 12 0	15 9 0
40. Player action assembler	13 19 6	13 16 6
41. Piano action assembler	13 19 6	13 16 6
42. Iron frame driller	13 7 0	13 4 0
43. Iron frame finisher by hand or spray	13 7 0	13 4 0
44. Spring and brass wire spinner	13 7 0	13 4 0
45. Veneer presser	13 7 0	13 4 0
46. Veneer scraper	13 7 0	13 4 0
47. Gluer up	13 7 0	13 4 0
PART II.—ADULT FEMALES.		
Veneer matcher	9 17 6	9 15 6
Upholstress	9 17 6	9 15 6

Provided that all other adult females employed on work for which a male margin of 40s. or over is prescribed in clause 40 of the Determination published in *Government Gazette* No. 236, of the 12th April, 1954, shall receive a margin equal to 50 per centum of the male margin, but, if the male margin was less than 40s., they shall receive a margin equal to 25 per centum of the male margin. Where there is no male margin prescribed for their work they shall be paid a margin of 4s. per week.

PART III.—SAVING.

No employee shall have his or her rate reduced merely as a result of this Determination.

SPECIAL RATES.

3. (a) *Leading hands.*—In addition to the margins prescribed in clause 2 herein leading hands shall be paid the following allowances:—

- (1) Fifteen shillings per week if in charge of not less than three and not more than ten employees including apprentices;
- (2) Thirty shillings per week if in charge of not less than ten and not more than twenty employees including apprentices;
- (3) Forty-five shillings per week if in charge of more than twenty employees including apprentices.

(b) In addition to the rates set out in clause 2 herein the following additional rates shall be paid:—

- (i) Sixpence per hour to employees working in confined spaces;

Confined space means a compartment, space or place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position or without proper ventilation.

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

- (iii) Sixpence per hour to employees handling loose slag wool, loose insul wool or other loose material of a like nature used for providing insulation against heat, cold or noise;
- (iv) Fourpence per hour where a foreman and workman shall agree that the work is of an unusually dirty or offensive nature.

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

Special Rates Not Cumulative.

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

Rates Not Subject To Penalty Additions.

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

Tool Allowance.

(e) Employees engaged as carvers shall at the end of each three months of service be supplied by their employer with an order for a sum equivalent to 2s. 6d. per week as a tool allowance. Provided that this extra rate shall only be paid in respect of each week in which three days or more have been worked.

MIXED FUNCTIONS.

4. Where an employee is engaged in any one week for more than half of such week at work in a higher class than he or she is employed to perform, he or she shall be paid for the full week at the highest rate payable for any such work under this Determination; but if he or she is engaged for more than half of any one day he or she shall be so paid for the whole day. If the period on the higher class of work is half or less than half a week or half or less than half a day then he or she shall be paid at the rate fixed for the work he or she actually performs.

APPRENTICES AND IMPROVERS—RATES OF PAY.

5. The following shall be the rates of pay for apprentices and improvers:—

	Within 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and in the Mildura and Gippsland Districts.	Elsewhere in Victoria.
<i>Male Apprentices.</i>		
£ s. d.		
Five-year Term—		
1st year's experience	3 16 0	3 15 0
2nd year's experience	5 2 0	5 0 6
3rd year's experience	6 8 0	6 6 6
4th year's experience	9 16 6	9 14 0
5th year's experience	12 3 0	12 0 0
Four-year Term—		
1st year's experience	4 0 6	3 19 6
2nd year's experience	6 8 0	6 6 6
3rd year's experience	9 16 6	9 14 0
4th year's experience	12 3 0	12 0 0
<i>Male Improvers.</i>		
Under 16 years of age	2 17 0	2 16 0
16 and under 17	3 9 0	3 8 6
17 and under 18	4 13 6	4 12 6
18 and under 19	6 4 6	6 3 0
19 and under 20	9 16 6	9 14 0
20 and under 21	12 2 0	11 19 0
<i>Female Apprentices.</i>		
1st year's experience	4 1 6	4 0 6
2nd year's experience	5 17 0	5 15 6
3rd year's experience	7 16 6	7 14 6
4th year's experience	8 18 6	8 16 6
<i>Female Improvers.</i>		
16 years and under	2 18 6	2 18 0
17 years	4 1 6	4 0 6
18 years	5 17 0	5 15 6
19 years	7 16 6	7 14 6
20 years	8 18 6	8 16 6

APPRENTICES AND IMPROVERS—PROPORTIONATE NUMBERS.

6. (a) (i) Males.—One male apprentice shall be allowed to the first three adult male workers or fraction thereof, and thereafter one additional apprentice to every three such workers.
- (ii) Females.—One female apprentice shall be allowed to each adult female worker.
- (b) (i) One male improver shall be allowed to each six adult male workers or fraction thereof: Provided that at least three adult male workers must be employed before a male improver can be employed.
- (ii) One female improver shall be allowed to each six adult female workers or fraction thereof.
- (c) The proportion of apprentices or improvers shall be based on the average number of adult workers employed for the preceding six months in each workshop or factory.
- (d) The terms "adult workers" and "adult female workers" shall mean adults whose wages are prescribed by this Determination and include a proprietor working in his factory: Provided that an apprentice shall not be an adult worker until he has completed his term of apprenticeship prescribed by this Determination.
- (e) Where an improver becomes indentured to any trade the time spent in such trade as an improver shall count as part of the term of apprenticeship.
- (f) A probationary period of three months shall be allowed before a person is indentured for the first time, but the period of probation shall be treated as part of the period of apprenticeship.

APPRENTICESHIP.

7. (a) *Apprenticeship Trades.*—For the purpose of indentures the following shall be apprenticed trades:—

Musical Instruments.—Cabinet making (including piano and player piano case making), side gluing, fly finishing, veneer scraping and part making.

Sound board making.

Making of other musical instrument.

Tuning.

Player mechanics.

Polishing.

Machining.—Instruction and practice in four of the following machines:—Boults carver, or shaper, moulding machine, hand saw, jig saw, circular saw, dovetailer, buzzer, planer, glue jointer, tenoner, copying lathe and automatic lathe.

Provided that in all types of machining instruction and practice shall be given in one of the following machines, viz.:—shaper, moulder or router.

(b) In such portions of the State of Victoria as come within the purview of the State Apprenticeship Commission, male juniors employed as cabinet makers, wood carvers, and wood turners, shall only be employed as apprentices.

(c) Juvenile workers employed in any of the occupations referred to in sub-clause (b) hereof at the time of the making of this award may, if they so desire, be employed as apprentices and the time that they have been employed in the industry shall be counted as time of apprenticeship. If they do not elect to become apprenticed they may continue to be employed by the same employer as juvenile workers.

(d) *Term of Apprenticeship.*—

(i) *Males.*—The term of apprenticeship for those entering apprenticeship trades between the ages of fourteen and seventeen years shall be five years, and for those entering apprenticeship trades in their eighteenth and nineteenth years shall be four years.

(ii) *Females.*—The term of apprenticeship for females shall be four years.

(e) *General Conditions of Apprenticeship.*—

(i) The provisions of this Determination governing holidays and for sick pay shall apply to all apprentices whether the apprenticeship was commenced before or after the date of the coming into force of this Determination.

(ii) All present contracts of apprenticeship shall be deemed to include and all future contracts of apprenticeship shall include 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.

If there occurs a breakdown of power necessitating the standing down of adult employees apprentices may also be stood down over the same period.

(f) *Technical Training.*—

(i) On an apprentice producing a certificate from the Technical College stating that he has a record of 70 per cent. of attendance at the Technical College, his employer shall refund to him his Technical College class fees.

(ii) Every apprentice who obtains, and produces to his employer, a certificate (or statement in lieu of same) of competency issued for any year of his technical education by the Technical College shall be entitled to 2s. 6d. per week in addition to the rates of wages prescribed for the ensuing twelve months. Every apprentice who produces to his employer a series of such certificates relating to each of the three years of his technical education shall be entitled to 5s. per week, in addition to the prescribed rates of wages for the remainder of his term of apprenticeship.

CONTRACT OF EMPLOYMENT.

8. (i) Except as in this Determination provided, all employees shall be employed by the week. Employees to become entitled to payment of wages prescribed by this Determination must be available and ready and willing to perform work such as the employer shall from time to time require on the days and during the hours usually worked by the class of employees affected. Where the majority of the employees of any establishment or of any department of such establishment agree to work part time for any period or to close down for any period on days other than the prescribed holidays, the provisions of the weekly wages shall not apply to any employee of such establishment or department during such periods.

Employment for the first week of service at any time shall be from hour to hour at the weekly rate fixed.

(ii) *Terminating Employment.*—

(a) Employment to be terminated only by a week's notice on either side, and such notice may be given at any time during the week or in lieu thereof payment or forfeiture of a week's wages. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, or to deduct payment for any time the employee cannot be usefully employed because of any strike or through any breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

Where an employee has given or been given notice as aforesaid he shall continue in his employment until the date of the expiration of such notice. Any employee who having given or been given notice as aforesaid without reasonable cause (proof of which shall lie on him) absents himself from work during such period, shall be deemed to have abandoned his employment and shall not be entitled to payment for work done by him within that period.

- (b) An employer shall not terminate the employment of a weekly employee for the purpose of evading payment for the holidays prescribed by this Determination.
- (c) Where an employee is dismissed within seven days prior to any such holiday the re-engagement of such employee within seven days after such holiday shall be *prima facie* evidence that the employment was terminated for the purpose of evading payment for such holiday.
- (d) Where the employer terminates the employment within one week of a day on which a holiday occurs, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee had been employed by the employer for a period of at least one week prior to the termination for the employment.

Casual Employees.

- (e) A casual employee shall mean an employee who is engaged and paid as such and he may be engaged at hourly rates for weekly hands with the addition of 10 per centum.

EMERGENCY PROVISIONS.

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

- (i) If by reason of such restriction or rationing or emergency disconnection he is unable usefully to employ an employee for the whole or part of any day or shift, he may deduct from the wages of that employee payment for any part of the day or shift such employee cannot be usefully employed provided that—
 - (1) if an employer requires the employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours' work;
 - (2) where an employee commences work he shall be entitled to be paid for four hours' work;
 - (3) this sub-clause shall not apply to apprentices.
- (ii) He may require any day worker to perform his ordinary hours of work (or any such ordinary hours of work) at any time on any day other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work—
 - (1) for work performed on Mondays to Fridays from 7 a.m. to 5.30 p.m. and on Saturdays from 7 a.m. to noon—ordinary time;
 - (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.
 - (3) for work performed at all other times other than on a Sunday—ordinary rates plus 10 per cent.

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

- (iii) He may 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 any employer who uses auxiliary power plant for the purposes of providing employment for his employees whilst such restriction or rationing or emergency disconnection is in force and who—
 - (i) is unable usefully to employ an employee for the whole of any day or shift by reason of a breakdown in such plant through no fault of his own; or
 - (ii) because of the inability of the auxiliary power 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.

LIMITATION OF EMPLOYMENT.

10. (a) Except as hereinafter provided, no weekly employee shall work for more than one employer during any week, nor shall any employee make or assist in the production of goods for sale on his own account.

(b) Employers may, by mutual arrangement between the employers and employees concerned, provide for temporary transfer of employees during the ordinary working hours of the week but, except for this provision, no employer shall employ any person at any time who is already engaged by another employer.

(c) The provisions of this clause shall not affect the right of any employee to transfer from one employer to another after properly terminating his engagement in accordance with the terms of clause 8 hereof.

DEFINITIONS.

- 11. (a) "An Apprentice" is a person who is bound by indentures of apprenticeship.
- (b) "A Juvenile" is a person under the age of 21 years who is not an indentured apprentice or journeyman or journeywoman.

HOURS OF WORK.

- 12. (a) The ordinary hours of employment per week shall be 40 to be worked in five days of eight hours per day.
- (b) The hours of employment for day workers may be worked at any time between 7 a.m. and 5 p.m. on Monday to Friday inclusive.

SHIFT WORK.

- 13. Shift work may be worked and where such shift work is worked the following conditions shall apply:—
 - (a) Any afternoon or night shift which does not continue for five successive shifts shall be paid for at the rate of time and a half.
 - (b) Except as herein provided employees working any afternoon or night shift which has been in operation for five successive shifts or more shall be paid 10 per cent. more than the ordinary rates.
 - (c) Shift workers shall be paid overtime at the rate of time and a half for the first four hours and double time thereafter for all time worked in excess of shift hours.
 - (d) Employees who during a period of engagement work only on night shifts shall be paid at the rate of time and a quarter.

- (e) When employees are called upon to work afternoon and night shifts only they shall change over week and week about and shall be paid ten per cent. above ordinary rates for both shifts.
- (f) When employees work day and afternoon shifts only, they shall change over week and week about and shall be paid ten per cent. extra for afternoon shifts.
- (g) The ordinary hours of actual work or duty exclusive of meal breaks off duty (if any) of employees working on shift shall not exceed :—
- (i) 8 in any one day; or
 - (ii) 44 in any one week; or
 - (iii) an average of 40 per week during any period of three weeks of such employment upon such shifts.
- (h) Employees on shift work shall be paid at the rate of time and a quarter for all work performed between midnight on Friday and midnight on Saturday.

OVERTIME.

14. (a) Except in the case of shift work all time worked—
- (i) before or after the usual times of beginning and ending work;
 - (ii) in excess of eight hours per day;

shall be paid for at the rate of time and one half for the first two hours and double time thereafter: Provided that all time worked between the hours of 9 p.m. and 7 a.m. shall be paid for at double time.

(b) All work done outside the times of beginning and ending work on any holiday specified in clauses 23 and 24 of this Determination shall be paid for at the rate of double ordinary time.

(c) No person under the age of seventeen years shall be permitted to work more than four hours' overtime in any week.

(d) In computing overtime each day's work shall stand alone.

(e) All work performed on Saturday morning shall be considered as overtime and paid for at the rate of time and a half for the first four hours and double time thereafter.

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

MID-DAY MEAL.

15. An interval of 45 minutes shall be allowed for the mid-day meal between the hours of noon and 2 p.m. but such interval may be reduced to 30 minutes if an employer and the Union mutually arrange for a 30 minutes' break.

MEAL MONEY.

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

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

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

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

Unless an employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided but which are surplus.

MATERIALS TO BE PROVIDED.

17. Any employee engaged at french polishing shall be supplied with all materials, including rags, brushes, and kit-box.

WASHING TIME FOR POLISHERS.

18. Employees engaged in the polishing shop, and spray paint operators, shall be granted five minutes before lunch time and five minutes before knocking off time for washing purposes.

TRAVELLING TIME ALLOWANCE AND BOARD.

19. (a) All time reasonably occupied by an employee in travelling to or from work outside the shop and outside ordinary hours and in travelling to and from work in a country district if engaged in any of the capital cities for employment in a country district shall be treated as time of duty and paid for at ordinary rates up to a maximum of eight hours for the journey, except on Sundays, when time and half rates shall be paid up to a maximum of eight hours for the journey. Provided that, where an employee proceeds direct from his or her home to a job outside the shop, he or she shall be paid for all time reasonably occupied in travelling to the job in excess of the time usually taken to go from his or her home to the shop.

(b) All fares and reasonable travelling expenses incurred by an employee in such travelling, including the cost, if any, incurred for meals—together with the reasonable cost of board and lodging if the employee has to be away from his home for a night, shall be paid to the employee.

(c) The fares allowed shall be first class on coastal boats or on interstate boats where there is no second class as distinct from steerage. On trains where the employee has to travel all night in connexion with his employer's business the fares to be allowed shall be first class. In other cases on trains the fares shall be second class.

(d) The foregoing travelling and accommodation allowances shall be paid additional to the usual rates for the time the employees are working.

(e) The aforementioned conditions shall not apply to piano tuners who are members of the staff of a retail selling organization as distinct from a factory.

(f) When it is more convenient for the employee to go direct to the job from his home he shall do so, and start and cease work at the usual times customary at the shop, provided than any extra expense incurred by him in travelling shall be borne by the employer.

REST PERIOD.

20. When any spell of duty in ordinary hours is for four hours or more an interval (ten minutes for females and five minutes for males) to be selected by the employer shall be allowed in the third hour. The interval shall be regarded as time on duty and during such interval employees may leave their seats but not the premises.

SEATING ACCOMMODATION.

21. (a) All chairs provided for employees shall be reasonably comfortable.
- (b) A chair provided for any female shall have a back to it, unless the work of such employee cannot conveniently be done in such a chair, or unless the employee requests to be allowed to use a seat without a back to it.

PAYMENT OF WAGES.

22. (a) All employees shall be paid weekly not later than Wednesday.
- (b) No employer shall hold more than two days' pay in hand except under the provisions of clause 25 of this Determination.
- (c) Any employee kept waiting for his pay on pay day for more than ten minutes after the usual time for ceasing work shall be paid overtime rates for that ten minutes and for ten minutes at the least.
- (d) Any employee dismissed during the course of a week shall have any wages due paid to him forthwith or posted to him within 24 hours of his dismissal.
- (e) Should an employee leave his employment without giving a week's notice as required by this Determination any moneys, due to him after forfeiture of pay to one week's wages, shall be paid to him within one week after he leaves his employment.
- (f) Sub-clauses (a) and (b) hereof shall not apply to an industry in which the work of employees covered by this Determination is only subservient to the main operations of such industry but the practice followed for the majority of employees in any establishment in such industry shall be applied to employees therein covered by this Determination.

HOLIDAYS.

23. (a) The following days shall be observed as holidays for all weekly wage employees—the days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Queen's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day.

PAYMENT FOR WORK ON HOLIDAYS AND SUNDAYS.

24. (a) Any time work employee who is employed on any holiday provided for herein shall be paid at the rate of the ordinary time in addition to the usual rate.
- (b) All work done on Sundays shall be paid for at the rate of double time.

LOADED RATE TO COVER HOLIDAYS, SICK LEAVE, AND ANNUAL LEAVE.

25. (a) All weekly wage employees shall be granted their annual leave at Christmas time. Such leave shall consist of fourteen consecutive days which shall be exclusive of any of the holidays prescribed by clause 23 hereof and if any of such holidays falls within the period of annual leave and is observed on a day which would have been an ordinary working day there shall be added to the period of annual leave one working day for each such holiday falling as aforesaid.

The representatives of the parties shall meet not later than three months before Christmas for the purpose of determining the date on which the factories shall close down for the annual leave and Christmas-New Year holidays.

Provided that skeleton staffs may be retained in the following sections of the industry and for the purposes mentioned:—

- (i) In all Sections where employers are under contract to service ships in port;
 - (ii) In Retail Shops for the purpose of servicing musical instruments;
 - (iii) In any other section where the said representatives of the parties consider special provision necessary.
- (b) Loaded rate shall provide credits from which payment for holidays, annual leave and sick pay shall be made under the following conditions:—
- (i) Each weekly wage employee including a piece worker or a task worker shall be credited by the employer with a sum equal to four hours' pay for each week of continuous service commencing at the beginning of the second week in each year and continuing until the end of the fifty-first week in each year.
 - (ii) On or before the pay day preceding a holiday, the amount of time that the employee will work short because of the holiday, and the time wage equivalent of such time shall be ascertained.
 - (iii) If on the pay day following the holiday there is standing to the credit of the employee an amount equal to or exceeding the amount of such wage equivalent the employer shall on that pay day pay to the employee an amount equal to that wage equivalent and the employee's credit shall be reduced by the amount so paid. Provided that in the case of Christmas-New Year holidays any payments due under this paragraph will be made on the day preceding such holidays.
 - (iv) If on the pay day following the holiday the amount standing to such credit is less than such wage equivalent the employer shall on that pay day pay to the employee the amount then standing to such credit and the employee's credit shall be reduced by the amount so paid. Provided that in the case of Christmas-New Year holidays any payment due under this paragraph will be made on the pay day preceding such holidays.
 - (v) In the event of an employee being absent owing to personal sickness or personal accident arising out of or in the course of his employment the employer shall on or before the pay day following the commencement of such absence ascertain the amount standing to the credit of such employee and shall if there be sufficient standing to the employee's credit to cover him for such absence not in excess of the number of ordinary working hours in a week pay to him such amount and if there be not sufficient for this purpose then the employer shall pay to the employee such amount as is standing to his credit and such credit shall be reduced by the amount paid pursuant to this sub-clause. If the credit is insufficient to cover the employee for his absence through sickness or accident as above stated the employee may at his own request be paid the difference when he has accumulated sufficient credit to cover the necessary amount.
 - (vi) On the pay day preceding the Christmas-New Year holidays the employer shall pay to the employee such amount as is then standing to the employee's credit plus credits up to the end of the fifty-first week in the year.
 - (vii) In the event of an employee being absent for any cause other than statutory holidays, annual leave, personal sickness or personal accident arising out of or in the course of his employment not in excess of the number of ordinary working hours in a week in any year the employer may reduce the amount to be credited to such employee by an amount *pro rata* to such absence.
 - (viii) If an employee lawfully leaves or his employment is terminated by the employer through no fault of the employee he shall be paid such amount as is then standing to his credit.
- (c) The provisions of this clause shall not apply to an employer in which the work of employees covered by this Determination is only subservient to the main operation of such employer but the practice followed for the majority of employees in the establishment of that employer shall be applied to employees therein covered by this Determination.
- (d) An employee whilst absent from duty on National Service Training shall be credited with two and two-fifths hours in respect of annual leave in lieu of four hours as prescribed in sub-clause (b) hereof.

INSURANCE OF TOOLS.

26. Employers shall insure the tools of trade of each employee in the furniture section against loss by fire up to a maximum of £20.

FIRST-AID OUTFIT AND ATTENDANT.

27. (a) Every factory, shop, or work-shop or place in which power-driven machinery is used shall have a first-aid chest upon the premises, which chest shall contain the following equipment:—

Antiseptic solution 1 bottle; Bandages, cotton and gauze, 1 dozen assorted sizes; Castor oil, 2 ozs.; Iodine, tincture of, 2 ozs.; Manual, First-Aid, 1; Petrolatum, carbolized, 1 jar; Picric acid solution made according to the following recipe or prescription:— $1\frac{1}{2}$ teaspoonful of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water; 1 pint; Pins, safety, 1 packet; sal volatile, 6 ozs.; Scissors, 1 pair; Tourniquet, 1; Tweezers, 1 pair; Gauze, sterilized plain, cotton absorbent; Lint absorbent; Plaster, adhesive, an adequate assortment.

(b) In factories, shops, work-shops, or places where an employer has appointed an employee who holds a certificate issued by the St. John's Ambulance Brigade as a first aid attendant an additional 10s. per week for each week in which three days or more have been worked shall be paid to such employee and shall be payable in addition to any amounts paid for annual leave, sick leave and public holidays, provided that this allowance shall not be subject to any premiums or penalty additions.

AMENITIES.

28. (a) Each employer shall install in each factory, shop or workroom or place wherein employees are working a proper system of ventilation and dust prevention.

(b) Employers shall make available an adequate and proper supply of boiling water boiled in clean receptacles at rest periods and at meal hours.

(c) Employers shall provide for the use of employees a sufficient supply of wholesome cool drinking water.

(d) Each employer shall provide proper and sufficient washing facilities.

(e) Each employer shall provide an enclosed dining room with adequate table and seating accommodation therein.

(f) An employer shall at some reasonably convenient place on his premises provide a suitable locker for each employee in his workshop.

(g) Suitable masks and goggles or other approved appliances shall be provided for employees for spray painting. An employee when performing such work shall wear the mask and goggles provided for his protection. Masks and goggles containing celluloid shall not be considered suitable for the purpose of this provision. Goggles shall be supplied to employees when grinding tools.

(h) While any work is being carried on in any confined or enclosed space and/or on the following operations in which—

(i) Fumes, gases, dust or vapours which may be dangerous or injurious are liable to be present or to be generated in the course of the work; or

(ii) Furniture polishing is done where the atmosphere becomes vitiated, the employer shall install a suction exhaust apparatus through which by means of a power-driven fan air is drawn from the vicinity of the work in relation to which it is installed. Where it is impracticable to install such suction exhaust apparatus the employer shall, before requiring any employee to work therein, take all such steps as are necessary to ensure safe working conditions in any such confined or enclosed space.

TIME AND WAGES BOOK OR RECORD.

29. (a) Employers shall provide at each shop, factory or place where work is being carried on, a time book or record which shall contain a correct account written up in the English language of the total hours worked, the time spent on work of a higher function, and the wages received by each employee. Such time book or record shall be kept correctly entered up in ink and shall be open for inspection by a duly accredited official of the Federated Furnishing Trade Society of Australasia during the usual office hours at the office or other convenient place.

Provided that no inspection shall be demanded unless the accredited official of the Federated Furnishing Trade Society of Australasia suspects that a breach of this Determination has been or is being committed, and provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment. The official making such inspection shall be entitled to take a copy of entries in any time and wages book relating to the suspected breach of this Determination.

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

RIGHT OF ENTRY OF UNION OFFICIAL.

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

(a) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.

(b) That he interviews employees only at the places where they are taking their meal.

(c) That not more than one representative in all be in any workshop at any one time.

(d) That no one representative visit a workshop more than once a week.

(e) 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, but the representative shall have the right to bring such refusal before the Secretary for Labour and Industry.

SHOP STEWARDS.

31. In cases where shop stewards have been appointed and recognized by the employers the practice shall continue until the Wages Board otherwise orders. In all other cases where such appointment is approved of by the employer or his representative and the Federated Furnishing Trade Society of Australasia appoints one of the employees for any particular shop or department, he shall be allowed the necessary time to interview the employer or his representative at the shop in working hours on any matter affecting employees working in his shop or department.

UNION DELEGATES.

32. Where the appointment of a shop steward is not approved of or recognized by the employer a delegate chosen by and from the employees in the shop or factory concerned shall be allowed the necessary time to interview the employer or his representative at the works in working hours for the purpose of submitting grievances.

NOTICE BOARDS.

33. (a) The employer shall permit notice boards to be erected in his establishment for the purpose of posting any notices thereon in connexion with the meetings of the Federated Furnishing Trade Society if Australasia.

(b) The notice boards shall be in a prominent position.

(c) All notices placed on the board shall be signed by the Branch Secretary of the Federated Furnishing Trade Society of Australasia.

DETERMINATION TO BE POSTED.

34. A copy of this Determination shall be posted in a prominent place in the workroom, factory, store or shop.

WORK TO BE DONE IN FACTORY, SHOP OR PLACE.

35. (a) All work shall be done in a factory, shop or place duly registered under State laws; but this shall not prevent an employer sending employees from his factory, shop or place to any building or ship for the purpose of repairing, completing, fitting or fixing any work covered by this Determination.

(b) For the purposes of this Determination "factory, shop or place" means a place in which one or more persons is or are employed in which articles covered by this Determination are repaired, prepared or manufactured.

(c) No persons shall use, allow or permit to be used as a sleeping place, any part of a factory, shop or place.

PIECEWORK.

36. (a) The employer in conjunction with his employees may fix his own piecework or task rates, provided such rates enable a journeyman or journeywoman of average capacity working under like conditions to earn at least 10 per centum more than the minimum weekly wage in their respective classes. The same piecework rates shall be paid to all pieceworkers doing the same operation in the factory or workshop whether they be apprentices or improvers on piecework or otherwise.

(b) All pieceworkers who are available and ready and willing to work during the ordinary working hours shall be paid in each week:—In the case of males, not less than the base rate; and in the case of females, not less than 75 per centum of the base rate.

CONTRACT WORK.

37. An employee working on weekly engagement shall not perform work (except under the prescribed conditions for piecework in clause 36) by contracting, sub-contracting, sub-letting or other similar systems.

PERIODICAL ADJUSTMENT OF WAGES.

38. The wages rates set out in clause 2 are based upon the following basic wage for adult males, and, pursuant to the provisions of Section 33 of the *Labour and Industry Act 1953*, shall be automatically adjusted as prescribed by clause 39.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within 20 miles of G.P.O., Melbourne—		
Males	11 17 0	Melbourne
Within 10 miles of G.P.O., Geelong, same as the contemporaneous basic wage and minimum wage for Melbourne		
Warrnambool, same as the contemporaneous basic wage and minimum wage for Melbourne		
Mildura and Gippsland districts, same as the contemporaneous basic wage and minimum wage for Melbourne		
Yallourn, until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week		
Elsewhere, 3s. less than the contemporaneous basic wage and minimum wage for Melbourne		

ADJUSTMENT OF BASIC WAGE.

39. (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 August, 1955, the amount of the Basic Wage shall be as prescribed in clause 38.

(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 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 read .5 or more the basic wage shall be taken to the next highest shilling.

(d) The minimum rate of wage to be paid to adult females shall be 75 per cent. of the basic wage for adult males as provided in clause 38.

(e) The rates for pieceworkers shall be increased or decreased in the same proportion as the rate for the journeymen or journeywomen in the respective classes.

MARGINS.

40. In addition to the basic wage prescribed in clause 38 and the minimum wage for females prescribed in clause 39, the following additional margins (including war loadings) shall be paid:—

Classification.	Margin.
PART I.—ADULT MALES.	
SECTION "A"—WOOD MACHINISTS AND GENERAL.	
<i>Machinist—"A" Grade.</i>	
	£ s. d.
1. Boults carver	3 15 0
2. Shaper—who grinds cutters and/or sets up and operates or who works freehand	3 15 0
3. Moulder—who grinds cutters, sets up and operates	3 15 0
4. Wood turner—who grinds cutters, sets up and operates, or who works freehand	3 15 0
5. Router—who grinds cutters and/or sets up and operates, or who works freehand	3 15 0
6. Lindeman or similar jointer	3 15 0

Classification.	Margin.
PART I.—ADULT MALES—continued.	
<i>Machinist—" B " Grade.</i>	
7. Band and/or jig sawyer	2 0 0
8. Circular sawyer—who sets up and operates	2 0 0
9. Dovetailer—who sets up and operates	2 0 0
10. Buzzer—who sets up and operates	2 0 0
11. Planer—who sets up and operates	2 0 0
12. Thicknesser—who sets up and operates	2 0 0
13. Glue Jointer—who sets up and operates	2 0 0
14. Tenoner—who sets up and operates	2 0 0
15. Turner—copying or automatic lathe—who sets up and operates	2 0 0
16. Morticer—who sets up and operates	2 0 0
17. Sander—tripledrum—who sets up and operates	2 0 0
18. Belt sander on veneers	2 0 0
19. Multiple Borer—three or more bits—who sets up and operates	2 0 0
20. Moulder—who sets up and operates	2 5 0
<i>Machinist—" C " Grade.</i>	
21. Sander—others	1 10 0
22. Borer—less than three bits	1 10 0
23. All others—including employees of any of the abovenamed machines (except classes Nos. 1, 6 and 18) who are not required at any time to grind cutting tools or set up the machine and who are working from templates, dies or jigs, or fences	1 10 0
<i>General.</i>	
24. Timber bender	1 10 0
25. Timber stacker	0 15 0
26. Yardman	0 15 0
27. Tailer out	0 15 0
28. Employees not elsewhere classified	0 3 0
SECTION " B "—POLISHING, &C.	
29. Polisher	3 15 0
30. Spray hand— (a) engaged on finishing coats of any type	2 0 0
(b) engaged on priming and/or undercoating, and/or sealing	1 10 0
31. Employee cutting or papering down and/or filling and/or staining	1 10 0
SECTION " C "—PIANOS.	
32. Action regulator	3 15 0
33. Tuner and/or action repairer	3 15 0
34. Player mechanic	3 15 0
35. Part maker	3 15 0
36. Side gluer	3 15 0
37. Sound board maker	3 15 0
38. Fly finisher	3 15 0
39. Maker and/or repairer of musical instruments	3 15 0
40. Player action assembler	2 2 6
41. Piano action assembler	2 2 6
42. Iron frame driller	1 10 0
43. Iron frame finisher by hand or spray	1 10 0
44. Spring and brass wire spinner	1 10 0
45. Veneer presser	1 10 0
46. Veneer scraper	1 10 0
47. Gluer up	1 10 0
PART II.—ADULT FEMALES.	
Veneer matcher	1 0 0
Upholstress	1 0 0

41. The wages of apprentices and improvers shall be the under-mentioned percentages of the basic wage and in addition thereto the loading specified calculated to the nearest sixpence, threepence or less than threepence to be disregarded.

—	Percentage of Basic Wage.	War Loading.
<i>Male Apprentices.</i>		
<i>s. d.</i>		
Five-year Term—		
1st year's experience	32	..
2nd year's experience	43	..
3rd year's experience	54	..
4th year's experience	83	..
5th year's experience	100 plus 6s.	..
Four-year Term—		
1st year's experience	34	..
2nd year's experience	54	..
3rd year's experience	83	..
4th year's experience	100 plus 6s.	..

	Percentage of Basic Wage.	War Loading.
<i>Male Improvers.</i>		
		<i>s. d.</i>
Under 16 years of age	24	..
16 and under 17 years of age	29	0 9
17 and under 18 years of age	39	1 0
18 and under 19 years of age	52	1 6
19 and under 20 years of age	82	2 3
20 and under 21 years of age	100 plus 2s.	3 0
<i>Female Apprentices.</i>		
1st year's experience	46	..
2nd year's experience	65	1 6
3rd year's experience	87	2 0
4th year's experience	99	3 0
<i>Female Improvers.</i>		
16 years and under	33	..
17 years	46	..
18 years	65	1 6
19 years	87	2 0
20 years	99	3 0

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

J. V. WILLOX, Secretary.

Melbourne, 29th June, 1955.

