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Labour and Industry Act 1953.

DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 33 OF THE LABOUR AND INDUSTRY ACT 1953.

I, Henry Norman Jones, Secretary for Labour and Industry, in pursuance of the powers conferred by the Labour and Industry Act, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in November, 1955.

Dated at Melbourne, this
16th day of January, 1956.

H. N. JONES,
Secretary for Labour and Industry.

NAIL MAKERS BOARD.

Clauses 2, 3 and 4 of the Determination made on the 11th July, 1955, and in force as from the beginning of the first pay period to commence on or after the 21st July, 1955, as amended by a Determination of the Industrial Appeals Court, shall be replaced by the following clauses:—

2. WAGES PER WEEK OF 40 HOURS.

| Classification. | s. | d. |
|---|-----|----|
| Nail or tack toolmaker (special products) | 321 | 0 |
| Nail or tack toolmaker (other) | 296 | 0 |
| Barbed wire toolmaker | 296 | 0 |
| Barbed wire, nail or tack machinist with not less than six months experience, not required to grind tools or dies | 291 | 0 |
| Barbed wire, nail or tack machinist with less than six months experience | 286 | 0 |
| Assistant to barbed wire, nail or tack machinist | 269 | 0 |
| Roofing nail heading machinist with not less than six months experience | 286 | 0 |
| Roofing nail heading machinist with less than six months experience | 281 | 0 |
| Rumblers who have not the benefit of mechanical assistance | 278 | 6 |
| Rumbler | 276 | 0 |
| Clipper or Tier-up on Concertina barbed wire | 269 | 0 |
| Galvanizer | 293 | 6 |
| Pickler-head, or where only one pickler is employed | 278 | 6 |
| Assistant Pickler | 269 | 0 |
| Assistant Working over Metal Pot | 278 | 6 |
| Swinger | 265 | 0 |
| Wire drawing block operator | 278 | 6 |
| Tack inspector | 271 | 0 |
| Storeman, packer or sorter | 287 | 6 |
| Other employees with not less than three months experience | 255 | 0 |
| All others | 249 | 0 |

Leading Hands.

Leading hands in charge of not less than three and not more than ten employees, 15s. per week extra; more than ten and not more than twenty employees, 30s. per week extra; more than twenty employees, 45s. per week extra.

APPRENTICESHIP.

Work to be Taught.

3. (a) An apprentice shall be taught the work of each of the following occupations ;
- (1) Tool making ;
 - (2) Setting-up ; and
 - (3) Machining.

Contract of Apprenticeship.

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

Cancellation or Suspension of Indenture.

(c) If through lack of orders or through financial difficulties an 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 the indenture may with the approval of the Secretary for Labour and Industry be determined by the employer. The onus of proving circumstances justifying such determination shall be on the employer.

Proportion.

(d) (i) The proportion of apprentices who may be taken by an employer shall be one to every three or fraction of three tradesmen.

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

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

(ii) An employer specially qualified to teach apprentices may, with the consent of the Secretary for Labour and Industry, on the recommendation of the Wages Board, employ a greater proportion of apprentices to tradesmen than hereinbefore specified.

Until further order, apprentices so taken shall not be counted in future calculations of the proportion of apprentices to tradesmen authorized by this Determination.

Period of Apprenticeship.

If an apprentice is under the age of 16 years 6 months at the time of commencing—5 years ; if 16 years and 6 months or over—4 years.

Probationary Period.

(e) Minors may be taken on probation for three months and if apprenticed such three months shall count as part of their period of apprenticeship.

Wages.

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

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

(g) Wages per Week of 40 Hours.

| | | | | | | | | | | Percentage of Basic Wage. | Total Wage Payable. |
|---|----|----|----|----|----|----|----|----|----|------------------------------|------------------------|
| <i>Four and Five-year Terms.</i> | | | | | | | | | | | |
| 1st year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 32 | £ s. d. 3 18 6 |
| 2nd year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 43 | 5 6 0 |
| 3rd year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 54 | 6 13 0 |
| 4th year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 83 | 10 4 0 |
| 5th year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 100 + 6s. | 12 12 0 |
| <i>Four-year Terms.—Apprentice commencing after the Age of 16 Years 6 Months.</i> | | | | | | | | | | | |
| 1st year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 34 | 4 3 6 |
| 2nd year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 54 | 6 13 0 |
| 3rd year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 83 | 10 4 0 |
| 4th year | .. | .. | .. | .. | .. | .. | .. | .. | .. | 100 + 6s. | 12 12 0 |

Provided that subject to the sub-clause relating to lost time herein an apprentice on attaining the age of 21 years shall thereafter, until he has completed his apprenticeship, be paid the appropriate tradesman's rate as set out in clause 2.

On the expiration of his apprenticeship an employee who produces satisfactory evidence that he has satisfactorily completed the full term set out in his indentures shall, irrespective of the work on which he may be employed, receive the rate provided for a nail or tack tool maker.

Hours.

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

Overtime and Shift Work.

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

Payment by Results.

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

Lost Time.

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

Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

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

Attendance at Technical Schools.

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

Annual and Sick Leave.

(n) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 14 and 15 hereof respectively.

FEMALES, MALE JUVENILE WORKERS, AND IMPROVERS.

4. Female labour may be employed at sorting or packing. The minimum rates of wage for adult and junior females and for juvenile workers and improvers shall be as follows:—

Wages per Week of 40 Hours.

| | * Percentage of Basic Wage. | Margin. | Total Wage Payable. |
|--|-----------------------------|---------------------------|---------------------|
| <i>I.—Adult Females.</i> | | | |
| Under one month's experience | 75 | s. d. .. | £ s. d. 9 4 6 |
| All others | 75 | 16 0 | 10 0 6 |
| When employed in a classification for which the corresponding margin in clause 23 of the Determination published in <i>Government Gazette</i> No. 154 of the 2nd April, 1954, exceeded 28s. per week but did not exceed 40s. per week.—75 per centum of the margin now prescribed for that classification in clause 23 hereof in lieu of the 16s. herein prescribed. | | | |
| <i>II.—Junior Females.</i> | | | |
| 17 years of age and under | 52 | Additional Amount. 3 6 | 4 19 6 |
| 18 years of age | 62 | 4 0 | 5 13 6 |
| 19 years of age | 72 | 4 6 | 6 17 6 |
| 20 years of age | 82 | 5 0 | 7 13 6 |
| <i>III.—Improvers and Junior Males.</i> | | | |
| Under 16 years of age | 24 | 2 0 | 3 1 0 |
| 16 years of age | 34 | 3 0 | 4 6 6 |
| 17 years of age | 46 | 4 0 | 5 17 0 |
| 18 years of age | 58 | 5 0 | 7 7 6 |
| 19 years of age | 73 | 6 0 | 9 5 6 |
| 20 years of age | 88 | 7 0 | 11 3 6 |

* The percentages for junior females relate to the Basic Wage, (i.e., 75 per cent. of the Basic Wage prescribed in clause 22) but in all other cases relate to the male Basic Wage.

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

The proportion of improvers who may be taken by an employer shall be one to every four or fraction of four tradesmen.

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

A female or a junior employee, who on the date of this Determination coming into force, in his or her case was entitled under the previous Determination to a rate higher than that hereby prescribed for an employee of his or her age and experience, shall be paid at not less than the rate prescribed by such previous Determination for an employee of his or her age or experience, as the case may be, until he or she completes the year or experience or of age in respect of which the last-mentioned rate is prescribed. Upon completion of such year the minimum rate of wage in his or her case shall be the rate hereby prescribed.

Clauses, other than clauses 2, 3 and 4 of the said Determination as amended by the Industrial Appeals Court shall remain in force.

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