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Labour and Industry Acts.

AMENDING DETERMINATION OF THE NICKELWARE BOARD.

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

(b) On the 25th June, 1934, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any person employed electroplating, grinding, polishing, or finishing articles of table ware, and such power was conferred exclusively on the Electroplaters Board.

IN accordance with the provisions of the *Labour and Industry Acts* the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed in the trade of making nickel-silver articles of table ware," and whose powers were, by Order in Council dated 16th November, 1920, extended so that it may "fix the lowest prices or rates which may be paid to any persons employed in the trade of making articles of table ware of any base metal," has made the following Determination, namely:—

That as from the beginning of the first pay period to commence in February, 1956, the Determination made on the 12th January, 1955, and published in *Government Gazette* No. 88 of the 21st March, 1955, shall be amended by:—

(i) deleting clause 2 and inserting in lieu thereof the following:—

2.		WAGES.	
Adults.		Per Week of 40 Hours.	
		£ s. d.	
Stamper who puts in die and makes force	15	18 6
Repairer	15	18 6
Maker-up	15	18 6
Spinner, 1st class	15	11 0
Spinner (other)	14	1 0
Die setter	14	1 0
Drop hammer stamper (other than one who puts in die and makes force)	13	16 0
Press operator (heavy)	13	16 0
Press operator (light)	13	13 0
Pickler	13	14 0
Hand blanker	13	13 0
Other employees with not less than three months' experience in the metal trades industry	13	0 0
All others	12	14 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.

(ii) deleting clause 3 and inserting in lieu thereof the following :—

APPRENTICESHIP.

3. (a) An employer may employ any minor as an apprentice in any work covered by the Determination provided that no minor shall be employed in the trade or occupation of a spinner—1st class otherwise than under a contract of apprenticeship as hereinafter provided.

Period of Apprenticeship.

(b) If the apprentice when indentured is under the age of seventeen years—five years; if over the age of seventeen years—four or five years, at the option of the contracting parties.

Contract of Apprenticeship.

- (c) 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 Indentures.

(d) Subject to the approval of the Secretary for Labour and Industry, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if in the opinion of the Secretary for Labour and Industry, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provisions of this clause shall be null and void and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

Proportion.

- (e) An employer shall not employ apprentices in excess of the proportion hereinafter prescribed :—
- (i) In the trade of a spinner—1st class.—One apprentice for every three or fraction of three tradesmen;
 - (ii) In all other cases.—Three apprentices and two improvers or two apprentices and three improvers to every three or fraction of three workers receiving not less than the rate prescribed for “all others”.

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 journeymen.

Adult Apprentices.

(f) 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 23 years.

Probationary Period.

(g) Minors may be taken on probation for three months, and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

Wages.

(h) The minimum weekly rates of wage for apprentices shall be the under-mentioned percentages of the contemporaneous basic wage, and in addition thereto the constant and war loadings specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

(i) *Wages per Week of 40 Hours.*

	Percentage of Basic Wage.	Total Wage Payable.
	Per Week.	£ s. d.
Four and five-year terms—		
1st year	39	4 18 0
2nd year	50	6 5 6
3rd year	58½	7 7 0
4th year	89	11 3 6
5th year	100 + 22s.	13 13 0
Four-year terms—Apprentice commencing after the age of 17 years—		
1st year	41	5 3 0
2nd year	58½	7 7 0
3rd year	89	11 3 6
4th year	100 + 22s.	13 13 0

The total wages of apprentices shall be calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded.

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

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

Overtime and Shift Work.

(k) No apprentice under the age of eighteen years shall be required to work overtime or shift work unless he so desires. No apprentice shall except in an emergency work or be required to work overtime or shift work at times which would prevent his attendance at technical school as required by any statute, determination, or regulation applicable to him.

Payment by Results.

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

Lost Time.

(m) 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 on 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.

(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.

Attendance at Technical Schools.

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

Annual and Sick Leave.

(p) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 15 and 16 hereof respectively.

(iii) deleting clause 4 and inserting in lieu thereof the following :—

FEMALES AND UNAPPRENTICED MALE JUNIORS.

4. (a) Subject to the exception hereinafter provided, the minimum rates of wage for adult and junior females and for unapprenticed male juniors employed in occupations other than that of a spinner—1st class, shall be as follows :—

Wages per Week of 40 Hours.

	* Percentage of Basic Wage.	Margin.	Total Wage Payable.
	Per Week.	Per Week.	£ s. d.
<i>I.—Adult Females.</i>			
Under one month's experience	75	..	9 8 0
All others	75	16 0	10 4 0
<i>II.—Junior Females.</i>			
17 years of age and under	52	3 6	5 1 6
18 years of age	62	4 0	6 0 6
19 years of age	72	4 6	7 0 0
20 years of age	82	5 0	7 19 0
<i>III.—Junior Males.</i>			
Under 16 years of age	24	2 0	3 2 0
16 years of age	34	3 0	4 8 6
17 years of age	46	4 0	5 19 6
18 years of age	58	5 0	7 10 6
19 years of age	73	6 0	9 9 0
20 years of age	88	7 0	11 8 0

* The percentages for junior females relate to the female Basic Wage, but in all other cases relate to the male Basic Wage.

The total wage shall be calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded.

(b) 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 six months' 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 :

Prohibited Occupations.

- (c) Junior employees shall not be employed :—
 - (i) if under the age of 16 years—
 - on oil or gas burners or fires used for heating of small articles ; or
 - using electric arc or oxy acetylene blow pipe, or
 - (ii) if under 18 years of age—
 - die setting on power presses.

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

J. W. RYAN, Secretary.

Melbourne, 20th January, 1956.

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