

[1941]



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 383]

TUESDAY, APRIL 17.

[1956

Labour and Industry Acts.

AMENDING DETERMINATION OF THE HOSPITAL NURSES' BOARD.

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

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 person or persons or classes of persons employed as:—

- (a) certificated nurses in public, private, intermediate, or community hospitals or in benevolent or in convalescent homes;
- (b) nurses in training in hospitals recognized as training schools by the Nurses Registration Board of Victoria;
- (c) registered infant welfare nurses engaged in infant welfare work or in work requiring an infant welfare certificate, and who are employed—
 - (i) by any municipality or industrial or commercial corporation; or
 - (ii) in any—
 - infant welfare training school.
 - mothercraft training school,
 - babies' home;
 - pre-school centre (including any crèche, nursery school, kindergarten, or play group).
- (d) certificated nurses engaged in connexion with an industrial or commercial undertaking;
- (e) certificated nurses employed in his practice by a qualified medical practitioner or dentist, or employed by any medical dental, or nursing society, association, clinic or service".—

has made the following Determination, namely:—

That on the 1st December, 1955, the Determination made on the 1st April, 1955, and published in *Government Gazette* No. 356 of the 23rd June, 1955, shall be amended by deleting clause 7 of Part I., and clause 7 of section 11 of Part IV. and inserting in lieu thereof the following:—

LONG SERVICE LEAVE.

7. (a) Subject to the provisions set out in sub-clause (b) hereof all male employees after the completion of twenty years' continuous service and all female employees after the completion of fifteen years' continuous service, shall be entitled to leave of absence as in the said sub-clause (b).

(b) (i) An employee who has been in the service of the same employer for the period specified in sub-clause (a) hereof shall be entitled to six months' leave of absence on full salary or wage.

(ii) The long service leave to which an employee is entitled shall be given as soon as practicable having regard to the needs of the employer's establishment but the taking of such leave may be postponed to such date as is mutually agreed or, in default of agreement, as is directed by the Industrial Appeals Court.

(iii) When an employee who has been in the service for at least the period prescribed in sub-clause (a) hereof resigns or is retired and has not received long service leave due to him under this clause, such employee shall be entitled to a retiring gratuity from the employer equivalent to the salary or wage for the period of leave to which the employee would have been entitled under sub-clause (b) (i) hereof plus a *pro rata* amount for all service in excess of twenty years for males and fifteen years for females provided that such resignation or retirement is not due to serious and wilful misconduct.

(iv) Upon the death from any cause of an employee, who, at the date of death was eligible for the grant of long service leave, the Board shall pay to the legal representative of the deceased employee the amount that the employee would have been entitled to receive had he retired immediately prior to the date of his death.

(c) In the case of an employee who has completed at least ten years' service but less than twenty years in the case of a male employee and at least ten years' service but less than fifteen years in the case of a female employee with his or her employer and whose employment is terminated—

(i) by the employer for any cause other than serious and wilful misconduct ;

(ii) by the employee on account of illness incapacity or domestic or any other pressing necessity where such illness incapacity or necessity is of such nature as to justify such termination ;

such amount of long service leave as equals one-eightieth of the period of continuous employment.

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

“Service” shall mean service calculated as from the date of entering employment with the hospital, benevolent or convalescent home (hereinafter called the employer) whether or not such hospital, benevolent or convalescent home has been transmitted from one employer to another during the period of such employment as an employee and shall include all periods during which an employee 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 employer.

“Salary or Wage” shall mean the employee's salary or wage (exclusive of overtime or other allowance) at the time leave is taken, or immediately prior to the employee leaving the service or death of the employee (as the case may be).

“Board” shall mean the Board or Controlling Authority of the Hospital, Benevolent or Convalescent Home in which the employee is employed.

Words importing the masculine gender only shall include the feminine gender.

Word importing the singular number only shall include the plural number and vice versa.

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

J. V. WILLOX, Secretary.

Melbourne, 13th December, 1955.