



VICTORIA GOVERNMENT GAZETTE.

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[1956

Labour and Industry Acts.

DETERMINATION OF THE SHOPS BOARD No. 7 (COUNTRY SHOP ASSISTANTS).

NOTE.—This Determination applies to the whole of the State *outside and excepting* the following parts of Victoria, namely:—The Metropolitan District as defined in the Labour and Industry Acts, and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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 in or in connexion with a shop as a shop assistant, packer, storeman, or carter", has made the following Determination, viz.:—

1. That, as from the beginning of the first pay period to commence in August, 1956, the last previous Determination of this Board as amended by a Determination of the Industrial Appeals Court, shall be revoked and replaced by this Determination as to the lowest prices or rates which may be paid to any person employed in or in connexion with a shop as a shop assistant, packer, storeman, or carter, but not including persons subject to the Determinations of the—

Shops Board No. 3 (Butchers);
Shops Board No. 6 (Chemists);
Shops Board No. 13 (Fuel and Fodder, Country); or the
Hotel and Restaurant Board.

WAGES PER WEEK.

2.

APPRENTICES OR IMPROVERS.

Wages per Week of 40 Hours.					PROPORTION. (In or in Connexion with any Shop.)
Age.	Males.		Females.		
	Percentage of Basic Wage.		Percentage of Female Basic Wage.		
		£. s. d.		£. s. d.	
15 years of age or under ..	39	5 2 6	39	3 17 0	<i>Apprentices.</i> One male apprentice to every three or fraction of three male workers receiving not less than £15 7s 6d. per week of 40 hours. One female apprentice to every three or fraction of three female workers receiving not less than £10 17s 3d. per week of 40 hours. An indenture of apprenticeship prescribed by the Board was approved on 20th December, 1923. <i>Improvers.</i> One male improver to each male worker receiving not less than £15 7s 6d. per week of 40 hours. One female improver to each female worker receiving not less than £10 17s 3d. per week of 40 hours. Provided that a female improver may be employed in lieu of a male improver, or a male improver in lieu of a female improver.
16 years of age	48	6 6 0	48	4 14 6	
17 years of age	60	7 18 0	60	5 18 0	
18 years of age	77	10 2 6	73	7 4 0	
19 years of age	94	12 7 0	83	8 3 6	
20 years of age	100 + 8s.	13 11 0	97	9 11 0	

Other Employees.

	Wages per Week of 40 Hours.	
	Males.	Females. *
	£. s. d.	£. s. d.
Shop Assistant—		
In charge of a shop, i.e., the person for the time being entrusted with the control or superintendence of a shop, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to supervising such shop—		
(a) working singly	17 3 6	14 10 0
(b) in charge of one or more persons	18 1 6	15 0 6
In charge of a department, i.e., the person for the time being entrusted with the control or superintendence of a department in which are employed two or more other persons, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to supervising such department ..	16 12 6	12 3 6
Other Shop Assistants—		
Between the ages of 21 years and 60 years	15 7 6	10 17 3
*60 years of age or over	14 14 9	
	14 16 9	
Packer or storeman	14 15 6	14 15 6
Carter driving horse-drawn vehicle	14 17 9	14 17 9
Driver of motor vehicle with a carrying capacity of not more than 25 cwt.	15 2 3	15 2 3
Driver of motor vehicle with a carrying capacity of over 25 cwt.	14 16 9	..
All others		

* This classification shall not apply in the case of an employee 60 years of age or over who is in the service of an employer by whom he has been continuously employed for a period of at least three years. Such an employee shall be entitled to receive the rate prescribed herein for an employee between 21 and 60 years of age.

TIMES OF BEGINNING AND ENDING WORK.

3. On Saturday 8 a.m. noon.
On the other working days of the week] 8 a.m. 5.30 p.m.

OVERTIME.

4. (a) The rate of time and a half shall be paid for all work done—
(i) outside the hours fixed as the times of beginning and ending work;
(ii) within the hours fixed as the times of beginning and ending work in excess of 40 hours in any week.
(b) When an employee is required to work more than one hour's overtime after the usual time of ceasing work for the day, he shall be paid 3s. meal money in addition to the prescribed overtime rate; but such payment need not be made to an employee living within the town or township boundary who can reasonably return home for a meal.

TERMS OF EMPLOYMENT.

(a) Weekly Employment.

5. Except as hereinafter provided employment shall be by the week and a weekly employee who is ready willing and available to work the number of hours prescribed herein as a week's work shall be paid the full weekly wage fixed herein irrespective of the number of hours worked not exceeding 40: provided however, that such an employee not attending for duty except as provided by clause 8 (sick leave) hereof shall lose his or her pay for the actual time of such non-attendance.

Provided further that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing sick leave under this Determination.

(b) Part Time.

A weekly employee not ready willing and available to work the full number of hours normally worked by employees of similar classification with the same employer, but who is ready willing and available to work a specified lesser number of hours at his or her own request shall be paid *pro rata* the wages prescribed herein for 40 hours' work according to the number of hours worked: provided that the proportion of part time employees in any shop shall not exceed one for each three or fraction of three engaged as weekly employees.

(c) Casual Employment.

Where a person is ready willing and available to work the number of hours required by an employer, such being less than the number of hours prescribed herein as a week's work, he or she shall be paid as follows:—

- (i) For time worked up to the first 20 hours—
In any week in which two or more Public Holidays occur—at the ordinary wages rates plus 50 per cent.
In any other week—at the ordinary wages rate plus 33½ per cent.
(ii) For time worked beyond the 20 hours aforesaid—the ordinary wages rate, provided that the total amount payable, excluding any overtime, shall not exceed the wages prescribed for a week's work.
(iii) An employee shall be entitled to a minimum payment as for 2 hours 55 minutes' work on a Saturday or for four hours' work on any other day.
(d) Notwithstanding anything contained elsewhere in this clause 5 any employee who works for any time only on a Friday and/or a Saturday shall be deemed to be a casual employee.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

6. Treble time shall be the special rate payable for all work done on Easter Saturday except in the case of persons employed in or in connexion with shops of the classes or kinds mentioned in the Sixth Schedule of the *Labour and Industry Act 1953*, who shall be paid at the rate of double time for all work done on this day. Double time shall be the special rate payable for all work done on Sundays, Easter Monday, and the days on which Australia Day, Labour Day, Queen's Birthday, Boxing Day, and New Year's Day are observed, and after noon on Melbourne Show Day, or on some other afternoon, except a Saturday afternoon, in substitution therefor. Provided that persons employed in or in connexion with shops of the classes or kinds mentioned in the Sixth Schedule aforesaid shall be paid at the rate of double time for all work done on Christmas Day, and Good Friday.

All employees shall be entitled to the above-mentioned holidays without deduction of pay. Provided that an employee who fails to attend for work on the working day before and/or after such holiday without reasonable excuse shall not be entitled to be paid for such holiday.

PUBLIC HOLIDAYS.

6a. The days observed as Christmas Day and Good Friday shall be public holidays in accordance with the provisions of Section 80 (2) of the *Labour and Industry Act 1953*. (See footnote at the end of the Determination.)

6b. Olympic Day, 22nd November, 1956 (within such area as may be proclaimed by Order in Council), shall be deemed to be included in the list of holidays herein prescribed in clause 6 provided that any employee who fails to attend for work on the working day before and/or after such holiday without reasonable excuse, shall not be entitled to be paid for such holiday.

ANNUAL LEAVE.

7. The annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts.

SICK LEAVE.

8. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill-health or accident shall be entitled to sick pay as follows:—

(i) During the first year—3½ hours' ordinary pay for each complete month of service;

(ii) During any subsequent year of service—40 hours' ordinary pay.

Provided that, in either case, such an employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence.

If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause, service prior to the 1st July, 1948, shall be disregarded.

No employer shall terminate the service of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

MIDDAY MEAL.

9. An interval of one hour shall be allowed for the midday meal between the hours of noon and 2 p.m.

CLOTHING.

10. Where any employee is required to wear any special uniform, dress, or clothing, it shall be supplied, paid for, and if necessary, except as provided hereunder, laundered by the employer. Any such garment shall remain the property of the employer.

Where the employee is required to launder the garment an allowance of 3s. 9d. per week, in addition to the ordinary wage shall be paid.

BICYCLE ALLOWANCE.

11. Where an employee is required to use his or her own bicycle in connexion with the business of an employer, he or she shall be entitled to an allowance of 6d. for each day or part thereof upon which he or she is so required to use such bicycle.

PAYMENT OF WAGES.

12. Wages shall be paid not later than Thursday in each week, and must be paid during working hours.

REFERENCE.

13. An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive immediately from such employer a reference in writing, stating his or her period of service and qualifications.

TRANSFER OF EMPLOYEE.

14. Where any employer transfers an employee from one township to another, the employer shall be responsible for and shall pay the whole of the moving expenses, including fares and transport charges, for the employee and his family.

TERMINATION OF EMPLOYMENT.

15. 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.

RENT OF RESIDENCE.

16. The employer shall not charge any manager or assistant who is required to reside on the premises in connexion with the shop in which the business of such employer is carried on a greater sum as rent for such premises than 10s. per week.

TIME AND WAGES RECORD.

17. The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Victorian Storekeepers' Association.

DETERMINATION TO BE AVAILABLE.

18. A copy of this Determination shall be kept in a conspicuous place on each floor of a building in which work covered by this Determination is done. Such Determination shall be readily available for inspection at any time.

REST PERIOD.

19. A rest period of ten minutes each morning and afternoon, Monday to Friday inclusive, shall be given to all employees, and shall be counted as time worked.

FIRST-AID OUTFIT.

20. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates for adult males set out in clause 2, are based upon the following basic wages and, pursuant to and in accordance with the provisions of section 30 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 prescribed in clause 22.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Within the area to which this Determination applies—	Per week.	Melbourne
	£ s. d.	
	13 13 0	

ADJUSTMENT OF BASIC WAGE.

22. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'C' series 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, 1956, the amount of the basic wage shall be as prescribed in clause 21.

(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 "C" series 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 rates for adult females (excepting female carters or drivers) are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for such adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

The wages rates for adult female carters or drivers shall be adjusted to coincide with the appropriate male rates.

(e) The wages of apprentices or improvers 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. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 20th June, 1956.

NOTE.—(a) This Determination was made pursuant to the provisions of the *Labour and Industry Act 1953*, and in his or her own interest each employer of labour should obtain a copy of the said Act which may be purchased from the Government Printer, Melbourne.

NOTE.—(b) Section 80 (2) of the *Labour and Industry Act 1953*, prescribes that shops (except shops of the classes or kinds mentioned in the Sixth Schedule) shall be closed for the whole of each day which the Determination says is to be observed as a public holiday. The shops of the classes or kinds mentioned in the Sixth Schedule are:—

Bread shops.
Confectionery and Pastry shops.
Eating-houses and Restaurants.
Fish and Oyster shops.
Flower shops.
Fruit and Vegetable shops.
Booksellers and Newsagents shops.
Lending Libraries.
Cooked Meat (other than tinned meat) shops.
Photographers shops.
Undertakers establishments.