

## INDUSTRIAL CONDITIONS

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### INDUSTRIAL ARBITRATION

#### **General description**

In Victoria there are two systems of industrial arbitration for the adjustment of relations between employers and employees : the Victorian system which operates under the law of Victoria within its territorial limits, and the Australian system which applies to industrial disputes extending beyond the limits of Victoria and includes the stevedoring industry and maritime industries.

In addition, under Australian law there is a special tribunal to determine the industrial conditions of employment in the Australian Public Service, and there is also a flight crew officers industrial tribunal.

#### **Australian-Victorian relations**

The relation between the Victorian and Australian systems of industrial arbitration depends on the distribution of legislative powers between the Australian and Victorian Governments.

Under the Commonwealth of Australia Constitution Act, the Australian Government's jurisdiction is limited to "conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State". The High Court of Australia has also ruled that the Australian Parliament cannot empower an industrial tribunal to declare an award a "common rule", or industry wide award, to be observed by all persons engaged in the industry concerned.

The Act also provides that if a Victorian law is inconsistent with a valid Australian law, the latter prevails, with the inconsistent portions of the Victorian law becoming inoperative. An award by the Commonwealth Conciliation and Arbitration Commission has been held to be an Australian law, and in certain circumstances awards of Australian industrial tribunals override those made by Victorian tribunals.

Despite the limitations of its jurisdiction the Australian system has gradually become predominant in the sphere of industrial arbitration throughout Australia. Its influence extended, in the first place, with the gradual adoption of the principle of federation in trade unionism and in political organisation, a tendency which gathered force during the First World War period. As industry expanded over interstate borders, uniformity of industrial conditions was sought by employers, while employees were attracted to the

Australian jurisdiction in the expectation of better terms as to wages, etc., than those awarded under Victorian legislation. In many cases, also, the organisations concerned in an Australian award have taken action to have its terms embodied in Victorian awards so that they become binding as a common rule in the industry. Again, for the sake of uniformity, legislatures of some States, notably Victoria and New South Wales, adopted the Australian wage standards as the basis of State awards and agreements.

### **Commonwealth Industrial Court and Commonwealth Conciliation and Arbitration Commission**

The *Conciliation and Arbitration Act* 1904 established the Commonwealth Court of Conciliation and Arbitration. The Act was extensively amended in 1956 and this amendment altered the structure of the arbitration machinery by separating the judicial functions from the conciliation and arbitration functions. The Commonwealth Industrial Court was established to deal with judicial matters, and the Commonwealth Conciliation and Arbitration Commission to handle the functions of conciliation and arbitration. Further amendments have since been incorporated.

The *Conciliation and Arbitration Act* 1904–1973 defines an industrial dispute as “(a) A dispute (including a threatened, impending or probable dispute) as to industrial matters which extends beyond the limits of any one State ; and (b) a situation which is likely to give rise to a dispute as to industrial matters which so extends ; and includes—(c) such a dispute in relation to employment in an industry carried on by, or under the control of, a State or an authority of a State ; (d) a dispute in relation to employment in an industry carried on by, or under the control of, the Commonwealth or an authority of the Commonwealth, whether or not the dispute extends beyond the limits of any one State ; and (e) a claim which an organisation is entitled to submit to the Commission under section eleven A of the *Public Service Arbitration Act* 1920–1973 or an application or matter which the Public Service Arbitrator has refrained from hearing, or from further hearing, or from determining under section fourteen A of that Act, whether or not there exists in relation to the claim, application or matter, a dispute as to industrial matters which extends beyond the limits of any one State ”.

The Australian Industrial Court is at present composed of a Chief Judge and eight other Judges. At the end of 1973 the Commission was composed of a President, seven Deputy Presidents, and twenty-two Commissioners.

A fuller treatment of the Australian and Victorian arbitration systems is given on pages 461–6 of the *Victorian Year Book* 1964.

### **Wages Boards**

In 1896 the Victorian Parliament introduced a system of Wages Boards with the object of improving determined wages and conditions of work in the “sweated” industries. This legislation was originally of a social character but has developed into a system of industrial relations which now determines wages and conditions of work for about one third of wage and salary earners in Victoria. Although the system has expanded from the four original Boards to over two hundred Boards, the fundamental principles underlying its operation have remained largely unaltered since inception.

Wages Boards are established under the provisions and amendments of the *Labour and Industry Act 1958*. Each Board covers a particular group or category of workers working in either a specific trade, a branch of a trade, or a related group of trades. The Boards can decide any industrial matter with the major exception that they cannot determine preference for unionists. There is no provision for the registration of unions or employer associations within the Board system. The Boards are required to give consideration to any appropriate decision made by the Commonwealth Conciliation and Arbitration Commission. The Boards will usually follow major changes (for example, national wages cases) made in relevant Commonwealth awards but there are many areas of wages and conditions where the Boards act as a lead sector. The determination of a Board applies as a minimum standard for all workers in the State in that particular category unless the worker is already covered by a Federal award. This is the "common rule" aspect of the system. The determinations of the Board operate as a rule of law with enforcement by inspectors of the Department of Labour and Industry.

Each Board consists of an independent chairman, and an equal number of employee and employer representatives. Three chairmen share the responsibility for all Boards. Members must be either actually engaged in the trade covered by the Board, or officers, officials or employees of unions or employer associations concerned with the trade. At Board meetings matters are raised for determination in the form of a motion which is then discussed and debated by the members of the Board. Witnesses and experts may also be heard. Compromises to the original proposal may be discussed with the aim of achieving agreement. The chairman participates as a member of the Board ; he may be involved in the debate ; he may attempt to conciliate ; and he will ultimately vote as a member of the Board. Procedures are determined by the chairman and the meetings are conducted with a minimum of formality and an absence of legalisms.

Matters are decided before the Board by majority vote with each member (including the chairman) having one vote. The primary aim of the chairman is to facilitate agreement but if there is a deadlock he then must exercise his vote as a form of arbitration. He cannot impose a compromise decision on the parties, for he is limited to voting for or against the motion which is finally put. However, the casting vote is needed in only a small minority of cases as agreement is the more general outcome of Board meetings.

The appellate body is the Industrial Appeals Court, comprising the President (a judge of County Court status) and two lay members—one representing employers and one representing employees. Matters before the Court are determined by majority vote except that the president alone will determine questions of law. The Court hears references by the Minister on matters which are common and affecting ten or more separate Wages Boards ; references for advice by the Minister about the appointment, abolition or membership of a Wages Board ; cases regarding interpretation of determinations of Wages Boards or of the Court, and appeals against decisions of the Wages Boards.

Appeals to the Court from a decision of the Wages Board may be made by a majority of employer or employee representatives on the Board, by a trade union or employer organisation, or by the Minister in the public interest. Any other aggrieved party (for example, a consumer group) may seek leave

of the Court to appeal against a decision of a Board. The Minister may also intervene in any appeal before the Court in the public interest. Decisions of the Court are final.

For over seventy years employers and employees covered by determinations of Wages Boards and the Industrial Appeals Court have been served by the system with protection and consideration for the public interest and a minimum of delay and at a relatively low cost. In more recent years, under the influence of the Board chairmen, Boards have been emphasising the conciliation aspects of the system and the early settlement of industrial disputes and, in particular, the use of the provisions of section 41 (2) of the Labour and Industry Act has expanded. This section provides for the notification of a dispute to the chairman of the appropriate Board who is then required to immediately call a meeting of the Board. These procedures have shown increasing effectiveness in handling day-to-day disputes which generally affect only a section of a Wages Board determination, or a section of the work force covered by a particular determination.

During 1973 there were 75 meetings of Wages Boards called under section 41 (2) to deal with 57 disputes. Of these, 29 were settled by the Boards at the first meeting, 24 at subsequent meetings, and 4 were not resolved by the end of the year.

The relative infrequency of appeals from Wages Boards decisions perhaps indicates a degree of satisfaction by all parties of the actual results which emerge from the Victorian Wages Boards system which in recent years has shown its ability to slowly evolve in terms of the legislative framework and administrative operation without compromising the basic principles of direct participation, informality, and conciliation.

#### INDUSTRIAL AWARDS

##### Incidence of industrial awards, determinations, and agreements

In April 1954, May 1963, and May 1968, surveys were conducted to determine the approximate proportions of employees covered by awards, determinations, and registered industrial agreements under the jurisdiction of Australian and State industrial authorities. The proportions of employees not so covered (including those working under unregistered industrial agreements) were also obtained.

#### VICTORIA—INCIDENCE OF AWARDS, DETERMINATIONS, AND REGISTERED INDUSTRIAL AGREEMENTS

Date	Employees represented in estimates	Males			Females			
		Employees affected by awards, etc.		Other employees	Employees affected by awards, etc.		Other employees	
		Australian	State		Australian	State		
'000	per cent	per cent	per cent	'000	per cent	per cent	per cent	
April 1954	509	59.4	27.4	13.2	194	47.7	45.2	7.1
May 1963	588	57.3	27.9	14.8	244	44.3	47.0	8.7
May 1968	667	57.7	24.6	17.7	312	39.9	50.8	9.3

Returns were collected from : (a) a stratified random sample of those private employers and local government authorities subject to pay-roll tax,

and (b) practically all Australian and State Government and semi-government authorities, and public hospitals. Because of coverage difficulties, employees on rural holdings and in private households were excluded altogether from the surveys.

VICTORIA—PERCENTAGE OF PRIVATE AND GOVERNMENT  
EMPLOYEES AFFECTED BY AWARDS, ETC., MAY 1968  
(per cent)

Particulars	Males			Females		
	Employees affected by awards, etc.		Other employees	Employees affected by awards, etc.		Other employees
	Australian	State		Australian	State	
Private employees	51.9	25.0	23.1	40.4	50.3	9.3
Government employees	70.6	23.8	5.6	37.5	52.9	9.6
Total private and government	57.7	24.6	17.7	39.9	50.8	9.3

VICTORIA—PERCENTAGE OF EMPLOYEES AFFECTED BY  
AWARDS, ETC., BY INDUSTRY GROUPS, MAY 1968  
(per cent)

Industry group	Males			Females		
	Employees affected by awards, etc.		Other employees	Employees affected by awards, etc.		Other employees
	Australian	State		Australian	State	
Manufacturing groups	65.9	17.5	16.6	65.6	26.1	8.4
Non-manufacturing groups	51.4	30.1	18.5	20.9	69.1	10.1
All industry groups	57.7	24.6	17.7	39.9	50.8	9.3

### Rates of wage

In 1913 the Australian Bureau of Statistics first collected information on current wage rates for different callings and for occupations in various industries.

Early in 1960 the Bureau introduced new indexes of minimum weekly wage rates for adult males and females (base 1954 = 100) to replace the old series of nominal weekly wage rate index numbers for adult males and females with 1911 and 1914, respectively, as base years. In general, this revision was necessary to match changes in the industrial structure. The particulars are obtained primarily from awards, determinations, and agreements under Australian and State industrial Acts and are, therefore, the minimum rates prescribed. They refer generally to the capital city in each State, but in industries which are not carried on in the capital cities, e.g., mining, agriculture, etc., the rates in the more important centres are taken.

The new index numbers are based on the occupation structure of 1954 and cover fifteen industrial groups for adult males and eight industrial groups for adult females. Weights for each occupation and each industry were derived from two sample surveys made in that year. The first was the Survey of Awards in April 1954, which showed the number of employees covered by individual awards, determinations, and agreements. This provided employee weights for each industry as well as a basis for the Survey of Award Occupations made in November 1954. This second survey showed the number of employees in each occupation within selected awards, etc., thereby providing occupation weights.

The minimum wage rates used are for representative occupations within each industry. They have been derived from representative awards, determinations, and agreements in force at the end of each quarter, as from March 1939 for adult males, and March 1951 for adult females. Using the industry and occupation weights determined by the surveys, the various rates were combined to give weighted averages for each industry group for Australia, and weighted averages for industry groups for each State. These weighted averages are shown in the following table in dollars and as index numbers. The indexes are designed to measure movements in prescribed minimum rates of "wages" as distinct from "salaries". Consequently, awards, etc., relating solely or mainly to salary earners are excluded.

AUSTRALIA AND VICTORIA—MINIMUM  
WEEKLY WAGE RATES (a)

At end of December—	Rates of wage (b) (\$)		Index numbers (Australia 1954 = 100) (c)	
	Victoria	Australia	Victoria	Australia
ADULT MALES				
1965	40.34	40.76	142.8	144.3
1966	42.78	43.05	151.5	152.4
1967	44.59	45.00	157.9	159.3
1968	48.86	48.98	173.0	173.4
1969	51.74	51.86	183.2	183.6
1970 (d)	53.68	54.20	190.1	191.9
1971	61.40	61.56	217.4	218.0
1972	67.86	67.71	240.3	239.8
1973	₹ 77.43	₹ 77.68	₹ 274.2	₹ 275.0
1974	104.17	103.74	368.9	367.3
ADULT FEMALES				
1965	28.46	29.10	143.0	146.2
1966	30.06	30.70	151.0	154.2
1967	32.04	32.57	160.9	163.6
1968	34.52	34.85	173.4	175.0
1969	37.08	37.70	186.2	189.4
1970	38.65	39.68	194.2	199.3
1971	45.68	47.06	229.5	236.4
1972	51.10	₹ 52.04	256.7	₹ 261.4
1973	₹ 62.73	₹ 65.05	₹ 315.1	₹ 326.7
1974	89.55	90.93	449.8	456.7

(a) Weighted average minimum weekly rates (all groups) payable for a full week's work (excluding overtime) and index numbers of wage rates, as prescribed in awards, determinations, and agreements. Rural industries are excluded.

(b) The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms, indicative of trends.

(c) Base: weighted average weekly wage rate for Australia, 1954 = 100.

(d) Australian figures include the 10 per cent additions to minimum wage rates for adult males in some Western Australian State awards payable from December 1970.

AUSTRALIA AND VICTORIA—MINIMUM WEEKLY WAGE RATES (a):  
INDUSTRY GROUPS, 30 JUNE 1974

Industry group	Rates of wage (b) (\$)		Index numbers (Australia 1954=100) (c)	
	Victoria	Australia	Victoria	Australia
	<b>ADULT</b>	<b>MALES</b>		
Mining and quarrying (d)	92.75	111.05	328.4	393.2
Manufacturing—				
Engineering, metals, vehicles, etc.	92.50	91.14	327.5	322.7
Textiles, clothing, and footwear	85.23	85.16	301.8	301.5
Food, drink, and tobacco	89.66	89.11	317.5	315.5
Sawmilling, furniture, etc.	88.87	88.91	314.7	314.8
Paper, printing, etc.	107.30	100.99	379.9	357.6
Other manufacturing	92.81	90.48	328.6	320.4
All manufacturing groups	91.88	90.67	325.3	321.0
Building and construction	107.25	98.23	379.8	347.8
Railway services	86.84	92.35	307.5	327.0
Road and air transport	91.31	92.74	323.3	328.4
Shipping and stevedoring (e)	116.04	114.53	410.9	405.5
Communication	122.90	122.58	435.2	434.0
Wholesale and retail trade	92.49	92.28	327.5	326.8
Public authority (n.e.i.) and community and business services	100.06	94.90	354.3	336.0
Amusement, hotels, personal service, etc.	84.16	87.77	298.0	310.8
All industry groups	95.01	94.53	336.4	334.7
	<b>ADULT</b>	<b>FEMALES</b>		
Manufacturing—				
Engineering, metals, vehicles, etc.	87.99	83.12	442.0	417.5
Textiles, clothing, and footwear	70.25	70.17	352.9	352.5
Food, drink, and tobacco	80.72	76.72	405.4	385.4
Other manufacturing	83.79	80.61	420.9	404.9
All manufacturing groups	76.50	75.58	384.3	379.6
Transport and communication	94.10	92.43	472.7	464.3
Wholesale and retail trade	83.69	84.57	420.4	424.8
Public authority (n.e.i.) and community and business services	94.17	85.72	473.0	430.6
Amusement, hotels, personal service, etc.	76.54	80.47	384.5	404.2
All industry groups	80.50	80.42	404.4	404.0

(a) Weighted average minimum weekly rates payable for a full week's work (excluding overtime) and index numbers of wage rates, as prescribed in awards, determinations, and agreements. Rural industries are excluded.

(b) The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms, indicative of trends.

(c) Base: weighted average weekly wage rate for Australia, 1954=100.

(d) For mining, the average rates of wage on which index numbers are based are those prevailing at the principal mining centres in each State.

(e) For shipping, average rates of wage on which index numbers are based are for occupations other than masters, officers, and engineers in the merchant marine service, and include value of keep, where supplied.

### Standard hours of work

In the fixation of weekly wage rates most industrial tribunals prescribe the number of hours constituting a full week's work for the wage rates specified. In 1914 the 48 hour week was the recognised standard working week for most industries.

In 1927 the Commonwealth Court of Conciliation and Arbitration granted a 44 hour week to the Amalgamated Engineering Union and intimated that this reduction in standard hours of work would be extended to industries operating under conditions similar to those in the engineering industry. However, the economic depression delayed the extension of the standard 44 hour week until improvement in economic conditions made possible a general extension to employees under Australian awards.

*40 hour week*

Soon after the end of the Second World War applications were made to the Commonwealth Court of Conciliation and Arbitration for the introduction of a 40 hour week. The judgment, given on 8 September 1947, granted the reduction to 40 hours from the start of the first pay period in January 1948. In Victoria, the Wages Boards incorporated the shorter working week in their determinations. From the beginning of 1948 practically all employees in Australia whose conditions of labour were regulated by industrial authorities had the advantages of a standard working week of 40 hours or, in certain cases, less.

In the 1952-53 Basic Wage and Standard Hours Inquiry, the employers sought an increase in the standard hours of work per week claiming it to be one of the chief causes of inflation. (See Commonwealth Arbitration Report, Vol. 77, page 505.) The Court found that the employers had not proved that the existing economic situation called for a reduction of general standards in the matter of the ordinary working week.

*Weekly hours of work*

VICTORIA—WEEKLY HOURS OF WORK (EXCLUDING OVERTIME):  
ADULT MALES: INDUSTRY GROUPS (a)

Industry group	Hours of work (b)			Index numbers (c)		
	31 March 1939	31 March 1948	31 December 1973	31 March 1939	31 March 1948	31 December 1973
Mining and quarrying (d)	44.34	40.52	40.00	111.0	101.4	100.1
Manufacturing—						
Engineering, metals, vehicles, etc.	44.05	40.00	40.00	110.2	100.1	100.1
Textiles, clothing, and footwear	44.40	40.03	40.00	111.1	100.2	100.1
Food, drink, and tobacco	44.82	40.12	40.00	112.2	100.4	100.1
Sawmilling, furniture, etc.	44.37	40.00	40.00	110.0	100.1	100.1
Paper, printing, etc.	43.68	39.94	39.94	109.3	99.9	100.0
Other manufacturing	44.02	39.97	39.96	110.2	100.0	100.0
All manufacturing groups	44.19	40.05	39.99	110.6	100.2	100.1
Building and construction	44.18	40.00	40.00	110.6	100.7	100.1
Railway services	43.96	39.97	39.96	110.0	100.0	100.0
Road and air transport	46.70	40.10	40.00	116.9	100.4	100.1
Communication	44.00	40.00	40.00	110.1	100.1	100.1
Wholesale and retail trade	45.47	40.11	40.00	113.8	100.4	100.1
Public authority (n.e.i.) and community and business services	42.75	38.93	38.93	107.0	97.4	97.4
Amusement, hotels, personal service, etc.	45.86	40.03	40.00	114.8	100.2	100.1
All industry groups (a)	44.46	40.03	39.97	111.3	100.2	100.0

For footnotes, see end of following table.



VICTORIA—WEEKLY HOURS OF WORK (EXCLUDING OVERTIME):  
ADULT FEMALES: INDUSTRY GROUPS (a)

Industry group	Hours of work (b)			Index numbers (c)		
	31 March 1951	30 June 1953	31 December 1973	31 March 1951	30 June 1953	31 December 1973
<b>Manufacturing—</b>						
Engineering, metals, vehicles, etc.	39.87	39.87	39.87	100.5	100.5	100.5
Textiles, clothing, and footwear	40.00	40.00	40.00	100.8	100.8	100.8
Food, drink, and tobacco	40.00	40.00	40.00	100.8	100.8	100.8
Other manufacturing	39.94	39.94	39.94	100.7	100.7	100.7
<b>All manufacturing groups</b>	<b>39.97</b>	<b>39.97</b>	<b>39.97</b>	<b>100.8</b>	<b>100.8</b>	<b>100.8</b>
Transport and communication	37.94	37.94	37.94	95.6	95.6	95.6
Wholesale and retail trade	40.00	40.00	40.00	100.8	100.8	100.8
Public authority (n.e.i.) and community and business services	39.25	39.25	39.25	98.9	98.9	98.9
Amusement, hotels, personal service, etc.	39.94	39.94	39.94	100.7	100.7	100.7
<b>All industry groups (a)</b>	<b>39.81</b>	<b>39.81</b>	<b>39.81</b>	<b>100.3</b>	<b>100.3</b>	<b>100.3</b>

NOTE. Weighted average standard hours of work (excluding overtime) for a full working week and index numbers of hours of work.

(a) Excludes rural industry, shipping and stevedoring for males and females, and also mining and quarrying and building and construction for females.

(b) The figures shown should not be regarded as actual current averages, but as indexes expressed in hours, indicative of trends.

(c) Base: weighted average for Australia, year 1954=100.

(d) For mining, the average hours of work are those prevailing at the principal mining centres.

The number of hours constituting a full week's work (excluding overtime) differs in some instances between various trades and occupations and between the same trades and occupations in the several States. The particulars of weekly hours of work given in the tables on pages 272-3 relate to all industry groups except rural, shipping, and stevedoring. These groups are excluded because for earlier years the hours of work for some of the occupations included were not regulated either by awards or determinations of industrial tribunals or by legislation. As a result, the necessary particulars for the computation of average working hours for these groups are not available.

### Basic wage

Until June 1967 the concept of a "basic" or "living" wage was common to rates of wage determined by industrial authorities in Australia. Initially the concept was interpreted as the "minimum" or "basic" wage necessary to maintain an average employee and his family in a reasonable state of comfort. However, it came to be generally accepted "that the wage should be fixed at the highest amount which the economy can sustain and that the 'dominant factor' is the capacity of the community to carry the resultant wage levels". (See Commonwealth Arbitration Reports, Vol. 77, page 494.)

In addition to the basic wage, "secondary" wage payments, including margins for skill, loadings, and other special considerations peculiar to the occupations or industry, were determined by Australian and State industrial authorities. The basic wage, plus the "secondary wage", where prescribed, made up the "minimum" wage for a particular occupation. The term "minimum wage" (as distinct from basic wage) is currently used to express the lowest rate payable for a particular occupation or industry.

*Wage determinations*

In all States wages are determined in two ways. First, for industries which extend beyond the boundaries of any one State, the total wage is determined by the Commonwealth Conciliation and Arbitration Commission. Second, industrial tribunals, which in Victoria are Wages Boards, are set up for industries which do not extend beyond the State boundary. (For further information on industrial arbitration, see page 265.) The Boards constituted from representatives of employers and employees and an independent chairman for each industry group or calling, determine the minimum rate of wage to be paid in each industry or calling.

*Australian wage determinations*

1. *Basic Wage 1907.* The first basic wage, as such, was declared in 1907 by Mr Justice Higgins, President of the Commonwealth Court of Conciliation and Arbitration. The rate of wage declared as appropriate for a "family of about 5" was 70c per day or \$4.20 per week for Melbourne, and because it arose from an application by H. V. McKay that the remuneration of labour employed at the Sunshine Harvester Works was "fair and reasonable" it became popularly known as the "Harvester Judgment", and this standard was adopted by the Commonwealth Court of Conciliation and Arbitration for incorporation in its early awards.

2. *Wage inquiries and judgments from 1907 to 1970.* The total wage decision of the Conciliation and Arbitration Commission in June 1967 eliminated basic wages and margins from Commonwealth Awards and Victorian Wages Boards' Determinations, and introduced the total wage concept. Detailed particulars of all wage inquiries and judgments from 1907 to 1972 appear in previous *Victorian Year Books* and *Labour Reports*.

3. *National Wage Case 1973-1974.* The total wage rates prescribed for adult males and adult females was increased by 2 per cent plus a flat amount of \$2.50. The adult minimum wage for Victoria (other than Yallourn) was increased to \$68 per week. The increases operated from the beginning of the first pay period which commenced on or after 23 May 1974.

**Further references, 1961-1974**

A table of selected basic weekly rates of wage is shown below. A complete table of basic wage rates in shillings and pence is given on pages 493-4 of the *Victorian Year Book* 1964.

MELBOURNE—MINIMUM WEEKLY WAGE  
RATES FIXED BY COMMONWEALTH  
CONCILIATION AND ARBITRATION  
COMMISSION  
(adult males)  
(\$)

Date operative (a)	Amount
1966 11 July	36.45
1967 1 July	37.45
1968 25 October	38.80
1969 19 December	42.30
1971 1 January	46.30
1972 19 May	51.00
1973 29 May	60.00
1974 23 May	68.00
1975 1 January	76.00

(a) Rates are operative from the beginning of the first pay period commencing on or after the date shown.

MELBOURNE—BASIC WEEKLY WAGE RATES FIXED BY COMMONWEALTH  
CONCILIATION AND ARBITRATION COMMISSION  
(adult males)  
(\$)

Year (a)	Amount	Year (a)	Amount	Year (a)	Amount
1923	9.15	1936	6.90	1949	13.00
1924	8.45	1937	7.70	1950	16.20
1925	8.75	1938	7.90	1951	19.90
1926	8.90	1939	8.00	1952	22.80
1927	9.00	1940	8.40	1953—August	23.50
1928	8.60	1941	8.80	1956—June	24.50
1929	9.00	1942	9.70	1957—May	25.50
1930	8.30	1943	9.80	1958—May	26.00
1931	6.34	1944	9.80	1959—June	27.50
1932	6.17	1945	9.80	1961—July	28.70
1933	6.28	1946	10.60	1964—June	30.70
1934	6.40	1947	10.90	1966—July	32.70
1935	6.60	1948	12.00	1967—July	(b)

(a) The system of making regular quarterly adjustments was instituted in 1922 and was discontinued after the August 1953 adjustment. From 1923 to 1952 the rate ruling at 31 December, the middle of the financial year, is shown.

(b) From July 1967 basic wages and margins were deleted from awards and wage rates expressed as total wages.

*Commonwealth wage rates for females*

Over the years judgments of the Court proportioned the minimum or basic weekly wage for adult females at varying percentages of the corresponding male rate.

In the *Equal Pay Cases* 1969 two branches of the Commonwealth Conciliation and Arbitration Commission jointly decided in June 1969 that there was no real bar either "conceptual or economic" to a consideration of "equal pay for equal work". However, the view of the Commission was that the equality of the work must be first determined and principles were set out in the judgment to be applied in deciding applications. Where an arbitrator or commissioner was satisfied that equal pay should be awarded the implementation was to be spread over a period according to defined scales.

In the *Equal Pay Case* 1972 the Commonwealth Conciliation and Arbitration Commission determined that the principle of "equal pay for work of equal value" will be applied to all awards of the Commission. By "equal pay for work of equal value" is meant the fixation of award wage rates by a consideration of the work performed irrespective of the sex of the worker. The principle will apply to both adults and juniors. Because the male minimum wage takes account of family considerations it will not apply to females.

In the *Equal Pay Case* 1974 the Commonwealth Conciliation and Arbitration Commission determined that the minimum wage for adult males will be extended to adult females in three steps: 85 per cent of the male minimum wage is payable to adult females from the beginning of the first pay period commencing on or after 23 May 1974; 90 per cent from the beginning of the pay period in which 30 September 1974 occurs; and 100 per cent from the beginning of the pay period in which 30 June 1975 occurs.

Although no specific equal pay legislation has been enacted in Victoria certain wage tribunals have introduced the equal pay concept. At the end of 1973, 100 Wages Boards had prescribed adult wage rates only; the effect of this being that adult females (if any) employed under the determina-

tions of these Boards are entitled to receive the adult rate of pay. The determinations of 25 other Wages Boards contain equal pay rates for one or more classifications, and a further 12 Boards have inserted provisions which will progressively introduce equal pay over a stated period. Thirty-six Wages Boards have implemented the Australian equal pay decision of 1969. Equal pay has been phased into the pay structure of the Victorian teaching service and equality was accomplished on 1 January 1971. Appropriate positions in the Victorian Public Service also carry an equal salary for males and females.

Details of judgments affecting wage rates for adult females may be obtained on pages 190-1 of the *Victorian Year Book* 1970 and in *Labour Reports*.

#### *Wages Board determinations in Victoria*

1. *General.* By an amendment to the *Factories and Shops Act* 1934, Wages Boards were given discretionary power to include in their determinations appropriate provisions of relevant Australian awards. A further amendment to this Act in 1937 made it compulsory for Wages Boards to adopt such provisions of the Australian awards. This amending Act also gave Wages Boards power to adjust wage rates "with the variation from time to time of the cost of living as indicated by such retail price index numbers published by the Commonwealth Statistician as the Wages Board considers appropriate". The Wages Boards thus adopted the basic wages declared by the Commonwealth Court of Conciliation and Arbitration (now Commonwealth Conciliation and Arbitration Commission) and followed that Court's system of adjusting the basic wage in accordance with variations in retail price index numbers.

2. *Quarterly adjustments 1953 to 1956.* After the system of automatic adjustment of the Commonwealth basic wage was discontinued, a number of Wages Boards met in September 1953 and deleted references to these adjustments. However, an amendment to the *Factories and Shops Act* in November 1953 required Wages Boards to provide for automatic adjustment of wage rates in accordance with variations in retail price index numbers.

In general, this requirement was repeated by the *Labour and Industry Act* 1953 which replaced the *Factories and Shops Act* 1928. An amendment to this new Act, proclaimed on 17 October 1956, deleted the automatic adjustment provision and directed Wages Boards in determining wage rates to take into consideration relevant awards of, or agreements certified by, the Commonwealth Conciliation and Arbitration Commission. The last automatic quarterly adjustment of the basic wage, based on the variation in retail price index numbers for the June quarter 1956, became payable from the beginning of the first pay period in August 1956.

3. *Minimum wage—adult males.* Subsequent to the Commonwealth Conciliation and Arbitration Commission's decision of 8 July 1966 to insert minimum wage prescriptions in Australian awards in an attempt to grant some economic relief to adult male low wage earners, the prescribed minimum wage payable in Victoria (other than Yallourn and the Hazelwood Power Station) since 23 May 1974 has been \$68. A substantial number of Wages Boards have incorporated similar wage clauses in their determinations. The minimum wage provisions do not apply to females nor to any male employee who

during any week receives "over-award" payments which are in excess of the prescribed minimum wage for work performed for ordinary hours.

#### VICTORIA—WAGES BOARDS DETERMINATIONS

Date operative (a)	Adult males	Adult females
1967 1 July	\$1.00	\$1.00
1968 25 October	\$1.35	\$1.35
1969 19 December	3 per cent	3 per cent
1971 1 January	6 per cent	6 per cent
1972 19 May	\$2.00	\$2.00
1973 29 May	2 per cent plus \$2.50	2 per cent plus \$2.50
1974 23 May	2 per cent plus \$2.50	2 per cent plus \$2.50

(a) Operative from the beginning of the first pay period commencing on or after the date shown.

4. *Total wage.* Since the implementation in Victoria from 7 August 1967 of the total wage concept and the consequent elimination of basic wage and margins from Wages Boards Determinations, both adult male and adult female weekly rates have been increased as shown in the above table.

#### Wage margins

Until June 1967 wage margins were defined as "minimum amounts awarded above the basic wage to particular classifications of employees for the features attaching to their work which justify payments above the basic wage, whether those features are the skill or experience required for the performance of that work, its particularly laborious nature, or the disabilities attached to its performance". (See Commonwealth Arbitration Reports, Vol. 80, page 24.)

The total wage decision of the Conciliation and Arbitration Commission in June 1967 eliminated basic wages and margins from Commonwealth Awards and Victorian Wages Boards Determinations, and introduced the total wage concept.

Detailed particulars of judgments affecting wage margins may be obtained in previous *Victorian Year Books* and *Labour Reports*.

#### Average weekly earnings

The figures in this section are derived from particulars of employment and of wages and salaries recorded on pay-roll tax returns, from other direct collections, and from estimates of the unrecorded balance. The figures relate to civilians only.

Particulars of wages and salaries paid are not available for males and females separately from these sources; average weekly earnings have, therefore, been calculated in terms of male units, i.e., in Victoria total male employees plus a percentage of female employees. This proportion is derived from the estimated ratio of female to male earnings. As the number of male units used in calculating Australian average weekly earnings is the sum of the estimates for the States, a separate ratio for Australia as a whole is not used.

Corresponding figures for each quarter are published in the *Monthly review of business statistics* and the monthly publication *Wage rates and earnings*. Quarterly figures of average weekly earnings are also published in the *Victorian monthly statistical review*.

**AUSTRALIA AND VICTORIA—AVERAGE WEEKLY EARNINGS PER  
EMPLOYED MALE UNIT (a)**

(\$)

Period	Victoria	Australia	Period	Victoria	Australia
1964-65	n.a.	55.30	1969-70	78.40	76.30
1965-66	n.a.	57.90	1970-71	86.40	84.80
1966-67	64.10	61.90	1971-72	93.60	93.00
1967-68	67.80	65.50	1972-73	102.50	101.50
1968-69	72.40	70.40	1973-74	118.40	118.00

NOTE. For a number of reasons, average weekly earnings per employed male unit cannot be compared with the minimum weekly wage rates shown on pages 274-5.

At the 1971 Population Census all trainee teachers were for the first time classified as not in the labour force. Previously those enrolled at government teachers colleges (and in some cases at other institutions also) had been included. Trainees affected by the reclassification have now been excluded, together with their allowances, from the calculation of average weekly earnings from September quarter 1971. The effect of their exclusion has been to increase average earnings figures by approximately 30 cents.

(a) Includes, in addition to wages at award rates, earnings of salaried employees, overtime earnings, over-award and bonus payments, payments made in advance or retrospectively during the period specified, etc.

### Survey of weekly earnings and hours

Sample surveys in respect of most private employers subject to pay-roll tax (i.e., those paying more than \$400 per week in wages and salaries) have been conducted as at the last pay period in October during recent years. Details of earlier surveys are contained in *Victorian Year Books* from 1966 onwards.

In addition to obtaining data for the calculation of average weekly earnings, average weekly hours paid for, and average hourly earnings, the surveys carried out in recent years obtained information on overtime and ordinary time earnings and hours for full-time employees (other than managerial, etc., staff).

### Coverage

The results of the surveys are based on returns from stratified random samples of private employers subject to pay-roll tax. Employees in rural industry and in private domestic service are excluded because most employers in these two industries are not subject to pay-roll tax. Also excluded from survey results are employees of government and semi-government authorities, and employees of religious, benevolent, and other similar organisations exempt from pay-roll tax. The earnings and hours of waterside workers employed on a casual basis are excluded because they are subject to wide fluctuations for short periods such as those covered by these surveys.

Since the surveys are based on samples the resultant estimates are subject to sampling variability, that is, variations which might occur by chance because only a sample of employers is surveyed. The extent of detail published is determined after considering estimated measures of sampling variability. In addition to affecting the results of each sample survey, sampling variability also affects comparison between each year's results.

The industry classification adopted for earnings and hours surveys from 1963 onwards is that used for the 1961 and 1966 Population Censuses.

Definitions of the terms used in the following tables may be found in the publication *Survey of weekly earnings and hours, October 1972*, available from the Australian Bureau of Statistics. This publication also contains further information on the construction of the sample as well as more detailed tables.

VICTORIA—AVERAGE EARNINGS AND HOURS OF FULL-TIME  
EMPLOYEES (OTHER THAN MANAGERIAL, ETC., STAFF) (a)  
CLASSIFIED BY INDUSTRY GROUPS, OCTOBER 1972 (b)

Industry group	Average weekly earnings (\$)				Average weekly hours paid for			
	Males		Females		Males		Females	
	Adult	Junior	Adult	Junior	Adult	Junior	Adult	Junior
Manufacturing— Founding, engineering, vehicles, etc.	97.10	47.00	64.00	(c)	43.4	40.4	39.8	(c)
Other	94.30	48.30	55.60	(c)	43.6	41.4	39.3	(c)
Total manufacturing	95.60	47.60	57.60	38.20	43.5	40.9	39.4	39.0
Non-manu- facturing	93.60	47.90	62.80	41.80	42.0	40.7	38.7	38.6
All industry groups (d)	94.90	47.80	59.50	40.70	43.0	40.8	39.2	38.7

For footnotes, see end of following table.

VICTORIA—AVERAGE WEEKLY EARNINGS OF FULL-TIME EMPLOYEES  
(OTHER THAN MANAGERIAL, ETC., STAFF) (a) CLASSIFIED BY  
INDUSTRY GROUPS DURING OCTOBER (b)  
(\$)

Industry group	Adult males			Junior males			Adult females			Junior females		
	1970	1971	1972	1970	1971	1972	1970	1971	1972	1970	1971	1972
Manufacturing— Founding, engineering, vehicles, etc.	79.20	90.60	97.10	37.70	44.80	47.00	(c)	56.90	64.00	(c)	(c)	(c)
Other	78.20	86.80	94.30	39.50	43.50	48.30	(c)	49.50	55.60	(c)	(c)	(c)
Total manufacturing	78.60	88.50	95.60	38.60	44.10	47.60	44.30	51.20	57.60	30.50	34.20	38.20
Non-manu- facturing	80.00	86.00	93.60	40.70	44.50	47.90	50.30	56.30	62.80	34.40	38.00	41.80
All industry groups (d)	79.10	87.60	94.90	39.60	44.30	47.80	46.40	53.00	59.50	33.10	36.80	40.70

(a) Private employees only.

(b) Last pay period in October.

(c) Information not available because the figures are subject to sampling variability too high for most practical uses.

(d) Excludes rural industry and private domestic service.

VICTORIA—AVERAGE WEEKLY EARNINGS OF FULL-TIME  
MANAGERIAL, EXECUTIVE, ETC., STAFF (a) CLASSIFIED  
BY INDUSTRY GROUPS DURING OCTOBER  
(\$)

Industry group	Males			Females (b)		
	1970	1971	1972	1970	1971	1972
Manufacturing	128.10	141.30	149.50	72.70	80.60	87.30
Non-manufacturing	132.30	136.90	150.40	71.30	81.20	88.00
All industry groups	130.40	138.90	150.00	71.70	81.10	87.80

(a) For footnotes, see preceding table.

(b) Australian figures only are available for females because of the small number involved by States.

### Annual leave

From 1936, when the Commonwealth Court of Conciliation and Arbitration granted one week's annual leave on full pay to employees in the commercial printing industry, annual leave has been introduced industry by industry when and if the Judge responsible for the industry considered it proper.

A number of inquiries into annual leave have been conducted and a summary of the most recent follows.

The Commonwealth Conciliation and Arbitration Commission declared its judgment on annual leave on 18 April 1963 and varied the Metal Trades Award by granting three weeks annual leave. This provided a new standard for secondary industry in other Australian awards. As a result, Victorian Wages Boards altered provisions of their determinations to grant employees an extra week's leave. A fuller treatment of this judgment is given on pages 436-7 of the *Victorian Year Book* 1965.

A claim for four weeks annual leave was dismissed on 7 December 1971.

The Labour and Industry (Annual Holidays) Order, made under authority of the *Labour and Industry Act* 1958, became operative from 1 April 1967 and granted three weeks annual holidays on ordinary pay to those employees not provided for by any determination of a Wages Board or Industrial Appeals Court.

### Long service leave

1. *Victoria*. The *Factories and Shops (Long Service Leave) Act* 1953 first provided for long service leave for workers in Victoria. The provisions of this Act were subsequently incorporated in the Labour and Industry Act which provided for thirteen weeks leave after twenty years continuous service with the same employer. In 1965 the qualifying period was reduced to fifteen years.

2. *Australia*. The applicability of long service leave provisions under State law to workers under Australian awards has been tested before the High Court and the Privy Council, and such provisions have been held to be valid.

Before 1964 the Commonwealth Conciliation and Arbitration Commission had not included provisions for long service leave in its awards. The Commission gave its judgment on the Long Service Leave case on 11 May 1964. The main provisions of the judgment were that in respect of service after 11 May 1964 (or in New South Wales, 1 April 1963) entitlement to the first period of long service leave would be calculated at the rate of thirteen weeks for fifteen years unbroken service; and after a further period or periods of ten years, employees would be entitled to an additional *pro rata* period of leave calculated on the same basis.

## INDUSTRIAL CONDITIONS

### Industrial disputes

The collection of information relating to industrial disputes involving stoppage of work was initiated by the Commonwealth Statistician in 1913 and figures have been published regularly ever since.

For these statistics an industrial dispute is defined as a withdrawal from work by a group of employees or a refusal by an employer or a number of



employers to permit some or all of their employees to work ; each withdrawal or refusal being made in order to enforce a demand, to resist a demand, or to express a grievance. Stoppages of work not directly connected with terms and conditions of employment (e.g., political matters, and fining and gaoling of persons) are excluded from the statistics.

The statistics relate only to disputes involving stoppages of work of ten man-days or more *in the establishments where the stoppages occurred*. Effects on other establishments because of lack of materials, disruption of transport services, power cuts, etc., are not measured by these statistics.

The statistics of industrial disputes are compiled from data obtained from the following sources : (a) direct collections from employers and trade unions concerning individual disputes ; (b) reports from government departments and authorities ; (c) reports of State and Australian industrial authorities ; and (d) information contained in trade journals, employer and trade union publications, and newspaper reports. Particulars of some stoppages (e.g., those involving a large number of establishments) may be estimated and the statistics therefore should be regarded as giving a broad measure of the extent of stoppages of work (as defined).

An industrial dispute occurring in more than one State is counted as a separate dispute in each State. A dispute involving workers in more than one industry group in a State or Territory is counted once only in the number of disputes—in the industry group that has the largest number of

VICTORIA—INDUSTRIAL DISPUTES (a): INDUSTRY GROUPS

Year	Mining	Manufacturing	Construction	Transport (b)		Other industries	All groups
				Stevedoring	Other		
<b>NUMBER OF DISPUTES</b>							
1969	1	149	80	90	19	28	367
1970	1	204	64	130	21	27	447
1971	3	169	41	82	25	42	362
1972	..	223	29	47	38	40	377
1973	3	238	70	38	28	54	431
<b>WORKERS INVOLVED (DIRECTLY AND INDIRECTLY) ('000)</b>							
1969	0.2	116.1	41.1	68.3	85.1	45.6	356.4
1970	0.1	105.8	46.7	92.5	39.6	48.2	333.0
1971	0.5	163.3	53.6	63.9	38.7	60.1	380.1
1972	..	179.0	11.8	16.3	71.6	59.5	338.2
1973	0.5	80.1	33.0	16.7	44.9	14.6	189.8
<b>WORKING DAYS LOST ('000)</b>							
1969	4.9	297.3	101.4	84.0	127.9	101.7	717.2
1970	0.5	200.0	183.2	47.8	31.0	48.4	510.8
1971	1.6	257.8	189.7	37.8	67.6	135.0	689.6
1972	..	328.0	52.1	11.5	122.9	124.0	638.4
1973	9.7	559.0	64.5	22.3	101.4	23.6	780.5
<b>ESTIMATED LOSS IN WAGES (\$'000)</b>							
1969	116.7	3,565.5	1,561.8	926.5	1,249.6	1,199.6	8,619.6
1970	10.5	2,538.3	2,689.1	561.6	387.5	606.7	6,793.7
1971	25.6	3,412.5	3,246.6	500.8	954.0	1,587.2	9,726.5
1972	..	4,951.5	921.2	161.1	1,817.2	1,805.0	9,656.0
1973	204.9	9,343.6	1,207.4	355.5	1,696.3	415.7	13,223.4

(a) Refers only to disputes involving a stoppage of work of ten man-days or more.

(b) Transport and storage ; communications.

NOTE. These statistics are now compiled according to the Australian Standard Industrial Classification (A.S.I.C.). (See Appendix E.) The above figures are not comparable with those published in earlier *Victorian Year Books*.

workers involved ; but workers involved, working days lost, and estimated loss in wages are allocated to their respective industry groups. Disputes not settled at the end of a year are included as new disputes in the figures for the following year.

**VICTORIA—INDUSTRIAL DISPUTES (a)**

Year	Number of disputes	Number of workers involved			Number of working days lost
		Directly	Indirectly (b)	Total	
		'000	'000	'000	'000
1969	367	336.7	19.7	356.4	717.2
1970	447	324.0	9.1	333.0	510.8
1971	362	366.5	13.5	380.1	689.6
1972	377	292.1	46.1	338.2	638.4
1973	431	172.5	17.4	189.8	780.5

(a) Refers only to disputes involving a stoppage of work of ten man-days or more.  
 (b) Persons placed out of work at the establishments where the stoppages occurred but not themselves parties to the disputes.

### Industrial safety

Industrial injuries, like other injuries, cause human suffering and personal loss, and the original approach to industrial safety was based on humanitarian motives. More recently it has been realised that industrial accidents also cause economic loss to the community. Efforts for the prevention of accidents must be directed along three lines : to make the working environment safer ; to educate people to work more safely ; and to have recourse to law where appropriate. Several departments and authorities now have particular statutory responsibilities for particular aspects of industrial safety, but the general responsibility lies with the Department of Labour and Industry through the *Labour and Industry Act* 1958 and associated legislation.

The most important Acts and regulations concerning industrial safety regulations and inspections, with reference to the administrative authority responsible in each case, have been dealt with in previous *Victorian Year Books*.

### Workers compensation

Legislation has been provided by all States and Australian Territories for compensation to be paid to injured workers, including Australian Government employees. The details which follow refer to the legislation in force in Victoria.

The first workers compensation legislation in Victoria was passed in 1914 to give certain industrial workers and their dependants the right to claim limited compensation from their employer, without proof of negligence or breach of statutory duty by the employer, in respect of accidental injuries sustained by them arising out of and in course of their employment.

Since the passing of the original legislation the class of persons entitled to benefit, the scope of employment, the types of injuries included, and the extent of the benefits have all been greatly widened by frequent amendments, which were consolidated by the *Workers Compensation Act* 1958.

The general principle of the legislation is to cover workers who have entered into or work under a contract of service or apprenticeship with an

employer, whether by way of manual labour, clerical work, or otherwise. Such workers are also protected, during travel to and from work, during recess periods, and from injury by the recurrence, aggravation, or acceleration of pre-existing injury where employment is a contributing factor.

Previously any worker was covered who was not an outworker or whose remuneration did not exceed \$6,000 a year (excluding overtime).

The *Workers Compensation Act* 1972, which came into force on 9 May 1972, no longer excluded persons whose remuneration exceeded \$6,000 per annum. The figures published in the tables on page 284 may exclude some employees in this category.

It is compulsory for every employer (with the exception of certain schemes approved by the Workers Compensation Board) to obtain from the State Accident Insurance Office, or from an insurance company approved by the Governor in Council, a policy of accident insurance for the full amount of his liability under the Act.

Judicial administration is carried out by a County Court Judge, sitting with workers' and employers' representatives as the Workers Compensation Board.

The extent of the principal benefits obtained under the *Workers Compensation Act* 1958 as amended are :

1. *Where death results from the injury—*

(a) If the worker leaves full dependants, compensation payable is \$13,690 plus \$400 for each child under 16 years.

(b) If the worker leaves partial dependants, the amount of compensation shall be a sum reasonable and proportionate to the injury to the said dependants, but not exceeding the sum of \$13,690, as is awarded by the Workers Compensation Board.

(c) If the worker has no dependants, reasonable medical and burial expenses are payable.

(d) If the worker was a minor leaving no dependants but had contributed towards the maintenance of the home or of members of his family, such members are deemed to be partial dependants.

2. *Where total incapacity for work results from the injury—*

The weekly payment during the total incapacity is \$43 for an adult worker (\$32 for a minor) or his average weekly earnings, whichever is the least, plus \$12 for his wife, or relative acting as a parent to the children, if the wife or relative is fully or mainly dependent on the earnings of the worker, plus \$4 for each dependent child under sixteen years of age.

The combined total weekly payment is limited to the worker's average weekly earnings or \$63 for an adult (\$55 for a minor), whichever is the least, and the whole maximum amount payable is limited to \$15,260 unless the Workers Compensation Board otherwise determines.

3. *Where partial incapacity results from the injury—*

(a) The worker is paid an amount which is calculated according to the variation between his average weekly earnings before injury and the average weekly amount he is earning or is able to earn after injury.

(b) Where the worker is unable to obtain employment for which he is fitted, the Board may order that he be treated as totally incapacitated.

4. *Other miscellaneous benefits—*

(a) In addition to compensation, legislation provides for the payment of

the reasonable cost of hospital, medical, nursing, and ambulance services, payable whether or not the worker is incapacitated. Reasonable funeral expenses are also payable.

(b) Coverage is provided where a worker contracts an industrial disease and the definition of "injury" specifically includes a disease contracted during the course of work which contributed to the disease.

(c) Lump sum payments in redemption of weekly payments in respect of total or partial incapacity may be made at any time upon application by either party but at the absolute discretion of the Board which fixes the amount.

More detailed particulars of workers compensation legislation may be obtained in the *Conspectus of Workers Compensation Legislation in Australia and Papua New Guinea* published by the Department of Labor and Immigration and the *Labour Report*.

VICTORIA—CLAIMS FOR WORKERS COMPENSATION :  
SUMMARY OF AMOUNTS PAID  
(\$'000)

Claims	1968-69	1969-70	1970-71	1971-72	1972-73
Under Workers Compensation Act—					
Compensation—					
Weekly	8,920	9,562	11,444	12,980	20,739
Lump sum—					
Death	4,756	4,767	4,679	6,168	5,839
Maim	3,600	3,448	4,204	4,522	4,688
Medical, etc., services—					
Doctor	4,086	4,522	4,709	5,049	5,749
Hospital	2,890	2,953	3,158	3,727	4,381
Chemist or registered nurse	216	263	212	247	293
Ambulance	139	134	161	196	215
Other curative, etc., services	429	480	500	559	593
Legal costs, etc.	3,397	3,837	4,022	4,609	6,178
Under other Acts and common law damages, etc.	4,095	4,344	4,367	4,808	5,054
Total	32,528	34,310	37,456	42,865	53,729

The following table shows details of workers compensation business transacted during each of the years 1968-69 to 1972-73 :

VICTORIA—WORKERS COMPENSATION BUSINESS  
(\$'000)

Year	Wages on which premiums were charged	Gross premiums received less adjustments	Claims paid during year	Claims outstanding at end of year
1968-69	3,286,808	57,160	32,528	63,487
1969-70	3,455,975	60,396	34,310	69,544
1970-71	3,932,840	71,409	37,456	77,464
1971-72	4,611,767	79,853	42,865	83,817
1972-73	4,863,012	91,411	53,729	113,098

Figures for premiums and claims in this table differ somewhat from those shown in Chapter 20 in the *Private Finance* section of this *Year Book*. In that section most schemes of compensation are not included and the figures shown do not always relate strictly to the financial year, as some insurance

companies close their books at other times. With regard to claims paid, the Private Finance section refers to claims paid during the period, plus claims outstanding at the end of the period, less outstanding claims at the beginning.

### **Industrial accidents**

The official collection of data on industrial accidents in Victoria was first undertaken when Regulations under the Workers Compensation Act were amended in 1957. Benefits to be obtained under the *Workers Compensation Act* 1958 are set out on pages 282-4.

#### *Source*

The *Workers Compensation Act* 1958 requires all insurance companies which insure against workers compensation and organisations with approved workers compensation schemes to submit to the Government Statist a report on each claim for workers compensation when the claim is closed, or at the expiry of three years if the claim is unclosed at the end of that time.

#### *Scope*

1. Each original claim is considered to be a separate "industrial accident" and although reports are received of re-opened claims, details are not included in published statistics.
2. At present the collection is restricted to fatal cases and those where the worker is incapacitated for work for a period of one week or more.
3. Prior to the *Workers Compensation Act* 1972 it was not mandatory for employers to insure against liability for employees whose income exceeded \$6,000. Consequently some employees in this category may not be included in the tables.
4. Australian Government employees are exempt from the Victorian Act and are covered exclusively by the *Compensation (Commonwealth Employees) Act* 1971. Consequently some industry classifications are not covered at all, while coverage is reduced in some instances (e.g., defence services and communications).
5. Self employed persons, with the exception of certain contractors as defined in the Act, are also not covered and therefore industrial accidents occurring to them will not appear in published statistics. This is likely to have considerable effect when considering, for instance, rural industries.

#### *Definitions*

1. *Industrial accident.* A compensated work injury causing death, permanent disability, or absence of the injured person from work for one week or more, excluding journey cases, cases occurring during a recess period, and all disease cases except where the disease is considered to be precipitated or aggravated by an accidental event.
2. *Industry group.* In Victoria, employers are rated for the purpose of workers compensation premiums according to the type of business conducted, a premium being fixed for each "trade", and all employees, regardless of occupation, take the "trade" classification of their employer with the exception of clerical workers and domestics. When the list of "trades" was compiled by insurers, it was allied closely with the industry classification used for the 1947 Census. This has been brought up to date from time to time and accordingly the industry groups shown here approximate to those used

for census purposes. However, as "communication" employees are almost exclusively employed by the Australian Government, and are consequently exempt from the provisions of the State Act, the remaining small numbers are included with "transport". Also "finance" employees, whose work is normally of a clerical nature, are included with "other" industry, as are clerical workers generally, who are usually subject to a special premium rate distinct from that charged for the industry in which they are employed. It should be noted that from 1969-70 accidents to employees of the Gas and Fuel Corporation and the State Electricity Commission have been included under the industry group "electricity, gas, water, and sanitary services" and accidents to employees of the Victorian Railways and the Melbourne and Metropolitan Tramways Board have been included under the industry group "transport, storage, and communication". Figures for employees of other authorities have also been included in their correct industry group where possible, i.e., "primary", "mining", "manufacturing", and "building and construction". However, it has not been possible to allocate all government authorities and the balance is still shown under "government, semi-government, finance, and other". Except for "commerce" and "amusement, etc.", figures for individual industry groups are not comparable between 1969-70 and earlier years.

3. *Accident factor.* This should not be interpreted as "cause of accident". In general it is defined as "that underlying agency, other than human failing, which appears to contribute most materially to an accident, and which would be most likely to receive attention in efforts to prevent occurrence of similar accidents".

4. *Injury site.* In most cases the injury has been allocated to that part of the body affected by the injury. However, since effects of poisons, electrocutions, weather, etc., cannot be assigned in most cases to any particular site, they are included in the heading "general and unspecified".

The following tables show the number of fatal and non-fatal industrial accidents to males and females in each industry group for the years 1970-71 to 1972-73 :

VICTORIA—NUMBER OF INDUSTRIAL ACCIDENTS TO  
MALES BY INDUSTRY GROUP

Industry group	1970-71		1971-72		1972-73	
	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal
Primary	5	1,605	8	1,424	2	1,328
Mining and quarrying	1	106	..	95	..	103
Manufacturing	8	11,139	12	12,014	11	12,325
Electricity, gas, water, and sanitary services	3	1,063	2	1,133	3	1,250
Building and construction	3	3,128	12	3,008	2	3,117
Transport, storage, and communication	7	2,409	12	2,590	10	2,910
Commerce	2	3,484	2	3,528	4	4,088
Community services, etc.	1	833	..	979	..	1,060
Amusement, personal service, etc.	1	728	1	636	..	699
Public authority (n.e.i.), finance, and other (n.e.i.)	2	1,996	1	2,368	7	2,441
Total	33	26,491	50	27,775	39	29,321

**VICTORIA—NUMBER OF NON-FATAL INDUSTRIAL  
ACCIDENTS TO FEMALES BY INDUSTRY GROUP**

Industry group	Number of non-fatal accidents		
	1970-71	1971-72	1972-73
Primary	72	79	101
Manufacturing	2,048	1,981	2,039
Electricity, gas, water, and sanitary services	10	10	9
Building and construction	1	1	1
Transport, storage, and communication	89	79	89
Commerce	609	571	710
Community services, etc.	626	702	753
Amusement, personal service, etc.	457	402	394
Public authority (n.e.i.), finance, and other (n.e.i.)	565	543	514
<b>Total</b>	<b>4,477</b>	<b>4,368</b>	<b>4,610</b>

NOTE. No fatal accidents to females were reported.

Further information in respect of industrial accidents to females has not been included in this *Year Book*, but details may be obtained in the publication *Industrial accidents and workers compensation* issued annually by the Victorian Office of the Australian Bureau of Statistics.

The following table shows the period of incapacity and the cost of claims incurred through non-fatal industrial accidents to males in each industry group for the years 1970-71 to 1972-73 :

**VICTORIA—NON-FATAL INDUSTRIAL ACCIDENTS  
TO MALES : PERIOD OF INCAPACITY AND  
COST OF CLAIMS, BY INDUSTRY GROUP**

Industry group	Period of incapacity			Cost of claims		
	1970-71	1971-72	1972-73	1970-71	1971-72	1972-73
	weeks	weeks	weeks	\$'000	\$'000	\$'000
Primary	7,934	6,541	5,698	459	462	425
Mining and quarrying	481	546	425	49	72	46
Manufacturing	44,115	45,045	42,382	4,536	4,917	4,668
Electricity, gas, water, and sanitary services	4,890	5,091	5,182	369	415	465
Building and construction	12,131	12,879	11,590	1,175	1,318	1,328
Transport, storage, and communi- cation	10,829	10,809	12,233	866	916	1,221
Commerce	12,539	12,912	13,336	945	1,002	1,285
Community services, etc.	3,209	4,837	4,302	230	351	368
Amusement, personal service, etc.	3,098	2,644	2,969	207	208	220
Public authority (n.e.i.), finance, and other (n.e.i.)	8,122	11,633	9,514	499	840	813
<b>Total</b>	<b>107,349</b>	<b>112,937</b>	<b>107,630</b>	<b>9,334</b>	<b>10,501</b>	<b>10,840</b>

The following table shows the number of non-fatal industrial accidents to males, by accident factor and industry group, for the year 1972-73 :

VICTORIA—NON-FATAL INDUSTRIAL ACCIDENTS TO MALES :  
INDUSTRY GROUP BY ACCIDENT FACTOR, 1972-73

Industry group	Accident factor								Total	
	Machinery	Vehicles	Electricity, etc. (a)	Harmful substances	Falling, slipping	Stepping on objects (b)	Handling objects (c)	Hand tools (d)		Other and unspecified
Primary	86	73	23	8	290	47	485	150	166	1,328
Mining and quarrying	11	3	2	1	11	7	64	3	1	103
Manufacturing	1,508	293	386	124	2,177	611	5,715	1,268	243	12,325
Electricity, gas, water, and sanitary services	35	40	25	6	343	74	609	75	43	1,250
Building and construction	145	67	43	10	842	177	1,519	239	75	3,117
Transport, storage, and communication	76	213	38	6	889	127	1,427	76	58	2,910
Commerce	244	146	89	24	839	218	1,654	788	86	4,088
Community services, etc.	39	42	26	7	364	45	420	40	77	1,060
Amusement, personal service, etc.	17	12	27	5	165	40	208	52	173	699
Public authority (n.e.i.), finance, and other	78	117	50	13	684	132	1,135	117	115	2,441
Total	2,239	1,006	709	204	6,604	1,478	13,236	2,808	1,037	29,321

(a) Includes explosions, flames, and hot substances.

(b) Includes striking against objects.

(c) Includes strain in handling, struck by objects.

(d) Includes power-operated.

The following tables show the number of non-fatal industrial accidents to males, by industry group, site of injury, type of injury, accident factor, and age group for the year 1972-73 :

VICTORIA—NON-FATAL INDUSTRIAL ACCIDENTS TO MALES :  
INDUSTRY GROUP BY SITE OF INJURY, 1972-73

Industry group	Site of injury								General and unspecified	Total
	Head	Eye	Neck (a)	Trunk	Arm	Hand	Leg	Foot		
Primary	50	27	54	292	194	272	308	128	3	1,328
Mining and quarrying	5	4	2	28	7	24	21	12	..	103
Manufacturing	283	300	318	3,324	1,552	3,828	1,529	1,148	43	12,325
Electricity, gas, water, and sanitary services	41	24	63	442	131	189	253	91	16	1,250
Building and construction	89	79	109	912	403	666	538	313	8	3,117
Transport, storage, and communication	113	40	100	908	382	443	630	281	13	2,910
Commerce	87	91	128	1,029	531	1,308	605	302	7	4,088
Community services, etc.	50	14	38	346	145	156	230	75	6	1,060
Amusement, personal service, etc.	31	11	28	194	116	148	124	43	4	699
Public authority (n.e.i.), finance, and other	84	41	125	827	279	403	458	216	8	2,441
Total	833	631	965	8,302	3,740	7,437	4,696	2,609	108	29,321

(a) Includes vertebral column



VICTORIA—NON-FATAL INDUSTRIAL ACCIDENTS TO MALES:  
INDUSTRY GROUP BY TYPE OF INJURY, 1972-73

Industry group	Type of injury											Total
	Contusions, lacerations, etc.	Burns and scalds	Bone fractures	Dislocations	Sprains, strains, and hernias	Amputations and enucleations	Concussion	Internal injury	Effects of poisons	Effects of electricity	Other and unspecified	
Primary	557	27	220	73	422	9	7	4	2	..	7	1,328
Mining and quarrying	43	2	18	1	32	3	2	..	..	..	2	103
Manufacturing	5,047	568	1,443	294	4,613	131	50	16	19	20	124	12,325
Electricity, gas, water, and sanitary services	378	17	147	59	589	5	5	7	3	12	28	1,250
Building and construction	1,137	67	481	108	1,252	17	5	12	1	6	31	3,117
Transport, storage, and communication	970	50	417	85	1,317	8	17	7	1	4	34	2,910
Commerce	1,793	127	448	121	1,503	18	19	12	3	3	41	4,088
Community services	301	29	131	51	507	5	5	3	3	1	24	1,060
Amusement, personal service, etc.	244	35	128	38	229	5	11	3	2	2	2	699
Public authority (n.e.i.), finance, and other (n.e.i.)	753	67	283	109	1,147	15	13	5	3	3	43	2,441
Total	11,223	989	3,716	939	11,611	216	134	69	37	51	336	29,321

VICTORIA—NON-FATAL INDUSTRIAL ACCIDENTS TO MALES:  
ACCIDENT FACTOR (a) BY SITE OF INJURY, 1972-73

Accident factor	Site of injury								General and unspecified	Total
	Head	Eye	Neck (b)	Trunk	Arm	Hand	Leg	Foot		
Machinery	43	143	11	65	153	1,642	100	82	..	2,239
Vehicles	104	7	54	170	120	136	213	191	11	1,006
Electricity, etc. (a)	86	19	7	34	93	137	98	185	50	709
Harmful substances	14	64	2	2	17	30	10	30	35	204
Falling, slipping	192	11	231	1,745	1,049	373	2,573	430	..	6,604
Stepping on objects (a)	71	5	15	108	304	411	376	188	..	1,478
Handling objects (a)	205	104	584	5,870	1,715	2,540	891	1,327	..	13,236
Hand tools (a)	42	111	15	63	183	2,082	183	128	1	2,808
Other and unspecified	76	167	46	245	106	86	252	48	11	1,037
Total	833	631	965	8,302	3,740	7,437	4,696	2,609	108	29,321

(a) For footnotes see page 288.

(b) Includes vertebral column.

VICTORIA—NON-FATAL INDUSTRIAL ACCIDENTS TO MALES:  
ACCIDENT FACTOR (a) BY AGE GROUP, 1972-73

Accident factor	Age group (years)						Total
	Under 20	20-29	30-39	40-49	50-59	60 and over	
Machinery	292	654	500	404	266	123	2,239
Vehicles	114	274	211	196	143	68	1,006
Electricity, etc. (a)	98	206	159	151	69	26	709
Harmful substances	14	55	49	49	19	18	204
Falling, slipping	398	1,605	1,531	1,486	1,104	480	6,604
Stepping on objects (a)	105	393	330	323	222	105	1,478
Handling objects (a)	838	3,276	3,021	3,116	2,162	823	13,236
Hand tools (a)	448	1,098	566	413	214	69	2,808
Other and unspecified	106	290	231	216	136	58	1,037
Total	2,413	7,851	6,598	6,354	4,335	1,770	29,321

(a) For footnotes see page 288.

### Control of labour conditions

#### *Department of Labour and Industry*

The Victorian Department of Labour and Industry deals generally with the registration and inspection of factories and shops, boilers and pressure vessels, and lifts and cranes. Wages Boards and the Apprenticeship Commission are statutory bodies placed within the Department for purposes of administration. The *Labour and Industry Act 1953* revised and consolidated the earlier Factories and Shops Acts and was consolidated in 1958. Included in the present functions of the Department are the following :

1. Inspection and enforcement of conditions of labour generally, including wages, hours of work, rest periods, holidays, annual leave, and long service leave.
2. Employment of women, children, and young persons including the training, oversight of schooling, and supervision of apprentices.
3. Industrial relations, including the prevention and settlement of industrial disputes and advice on industrial matters.
4. Industrial safety, health, and welfare, including the training of workers in safe practices, control of dangerous methods and materials, guarding of machinery, prevention of accidents, and the control and regulation of industrial aspects of noxious trades.
5. Initiation and direction of research and the collection, preparation, and dissemination of information and statistics on matters within departmental jurisdiction.
6. Consumer protection, including measures to achieve truthful description of goods (generally) ; correct labelling, branding, or stamping of textiles, leather goods, footwear, and furniture ; measures to prevent false or misleading advertising, deceitful sales practices, and other methods of selling or providing services which place the consumer at a disadvantage ; and safe design and construction of goods.

#### *Labour legislation*

The earliest attempt at regulating the conditions of labour in Victoria was made by the passing of an Act dated 11 November 1873, forbidding the employment of any female in a factory for more than eight hours in any day. This Act defined "factory" to be a place where not fewer than ten persons were working. Since 1873 the definition of "factory" has been broadened until now it includes any place in which mechanical power exceeding one half horsepower is in use or in which two or more persons are engaged in any manufacturing process. In some circumstances, one or more persons constitute a factory even where no mechanical power is used. The general recognition of the necessity of securing the health, comfort, and safety of the workers has been expressed in many further legislative enactments. The industrial legislation which was formerly included in the Factories and Shops Acts has now been consolidated in the *Labour and Industry Act 1958*.

#### *Closing hours of shops*

Trading hours for shops are fixed by the *Labour and Industry Act 1958* and by regulations made under that Act. The Act was amended by the *Labour and Industry (Shop Trading Hours) Act 1971*, which came into operation

on 23 November 1971, and the general hours for trading are now not restricted except on public holidays and between 1 p.m. on Saturday and midnight Sunday when most classes of shops must be closed. The Act also contains specific restrictions on the trading hours of butchers' shops, petrol shops on Christmas Day and Anzac Day, and on certain chemists' shops.

Shops listed in the Fifth Schedule to the Act, the trading hours of which are not restricted, include bread, pastry and confectionery, cooked meat, fish, flower, fruit and vegetable, aviary and cage birds, and booksellers' and newsagents' shops, and may sell certain goods detailed in the Sixth Schedule at any time.

Following the passing of the *Labour and Industry (Shop Trading Hours) Act 1971*, the Food Shops Wages Board, the General Shops Wages Board, the Electrical, Furniture, and Hardware Shops Wages Board, and the Clothing and Footwear Shops Wages Board included new provisions in their Determinations to prohibit the employment of persons (other than casuals) after 6 p.m. Monday to Thursday and after 9 p.m. on Friday. An appeal against the Determination of the Food Shops Board was subsequently upheld by the Industrial Appeals Court on the grounds that the Board did not have the power to include such a provision and it was removed from that Determination.

The council of a municipality whose area is outside a radius of 32 kilometres from the G.P.O. Melbourne may apply to the Minister of Labour and Industry for exemption from shop trading hours for shops in an area which is for the time being wholly or partly a holiday resort. The Minister is to refer such application to the Minister of Tourism for a report as to (a) whether the area is a holiday resort for the period of the application and (b) whether the holiday population is large by comparison with the resident population. The Minister may, after having considered the report, subject to such terms as he thinks fit, exempt any shopkeeper in the area from the observance of shop trading hours for a period not exceeding fifteen weeks. The Minister may also exempt any shopkeeper from the specified closing hours in a municipal district where a large work force is temporarily employed and where the hours of work do not permit shopping within the ordinary trading hours. On application by a municipal council, and after consultation with the Minister of Tourism, the Minister may exempt shopkeepers in tourist resorts selling goods which are attractive to tourists from observance of the normal shop trading hours.

The *Labour and Industry (Amendment) Act 1972*, which came into operation on 1 February 1973, amended the principal Act by extending trading hours of chemists shops, petrol shops, and pet shops, and baking hours of bakers.

### **Consumer protection**

The *Consumer Protection Act 1970*, which came into operation on 16 November 1970, provides for the establishment of a Consumer Affairs Council and a Consumer Protection Bureau, the functions of which may be summarised as follows :

1. The Consumer Affairs Council investigates any matter affecting the interests of consumers referred to it by the Minister ; makes recommendations with respect to any matter calculated to protect the interests of consumers ; consults with manufacturers, retailers, and advertisers in relation

to any matter affecting the interests of consumers ; and in respect of matters affecting the interests of consumers, disseminates information and encourages and undertakes educational work.

2. The Consumer Protection Bureau advises members of the public on the provisions of the consumer protection legislation administered in the Department of Labour and Industry (and takes action to remedy infringements of those provisions) ; advises people on other matters which affect their interests as consumers ; receives complaints of illegal or unfair practices in relation to goods or services and, where appropriate, refers these complaints to the government department or other statutory body best able to act or advise on them ; and conducts research and gathers information on matters affecting the interests of consumers.

Consumers' complaints investigated by officers of the Department have been concerned with the servicing of electrical appliances, door to door sales practices, motor car sales and repairs, "inertia" selling, false advertising, and other alleged improper practices by sellers of goods or services. During 1973-74, 4,831 complaints were received and, in many cases, redress was obtained for the complainant.

The *Consumer Protection Act* 1972 was brought into operation during July 1972. Some of the main provisions of the *Consumer Protection (Amendment) Act* 1972 are :

1. Every door-to-door salesman is required to carry an identification card showing his name in full, his business address, and the name of the firm or company, if any, which he is representing, and to produce it on his first approach to a potential purchaser and at any time thereafter when requested.
2. When a door-to-door salesman has failed to give to the purchaser a copy of the credit purchase agreement and a statement setting out the rights of the purchaser to terminate the agreement within ten days, as required by the *Consumer Protection Act* 1972, any person asserting a right to payment is liable to a fine.
3. The full cash price of goods offered for sale must be shown if the deposit required on a credit sale, or the periodic rates of payment, or both, are advertised, displayed, stated, or otherwise indicated.
4. When a price marking of goods indicates that the goods are being offered at a price less than the price at which they have previously been offered, the present price of the goods must be shown.
5. It is an offence to promote or conduct or assist in the promotion or conduct of a "mock auction" where prescribed articles are offered for sale.

**Further references, 1972, 1974**

### **Apprenticeship Commission**

#### *General*

Although apprenticeship has always been the principal means of training skilled tradesmen in Victoria, it was not until the passing of the *Apprenticeship Act* 1927 which created the Apprenticeship Commission that the conditions in the individual trades were standardised and brought under the control of one authority.

The legislation enacted by this and subsequent Acts now governs Victoria's apprenticeship system and is designed to utilise the knowledge, ability, and experience of representatives of employers and employees, together with that

of the Victorian Government, in supervising the training of apprentices and co-ordinating the activities of technical schools and industry for the purposes of supplementing the training received in employers' workshops.

The Commission is at present composed of ten members—a full-time president (appointed on the recommendation of the Minister of Labour and Industry), a deputy president (an officer of the Education Department nominated by the Minister of Education), four representatives of employers, and four representatives of employees.

#### *Duties*

The main duties of the Commission are to keep under review the requirements of Victoria for skilled tradesmen; the availability of skilled tradesmen to meet those requirements; the availability of young persons for apprenticeship; the availability of vacancies for apprentices and the extent to which employers are participating in the training of apprentices; the adequacy of the training of apprentices in employers' workshops and in technical schools, and measures which can be taken to improve that training; the adequacy of the apprenticeship system as a means of training skilled tradesmen; and the desirability of modifying that system or of providing other systems of training for skilled occupations.

The Commission is assisted in its functions by trade committees which are appointed under the Act for a trade or group of trades. These committees provide specialist advice and make recommendations to the Commission on matters pertaining to the trades for which they are appointed. At 30 June 1974 there were 45 committees functioning in respect of the 129 proclaimed apprenticeship trades in which approximately 34,000 apprentices were employed. The Commission is also assisted in its work by special advisory committees which have been set up in country areas to advise the Commission on local matters pertaining to apprenticeship. Nineteen such advisory committees were operating at 30 June 1974.

Although in 1971–72 there was a substantial increase in the number of apprentices taken, the number of 8,554 apprentices who obtained employment in 1972–73 fell considerably short of the estimated intake of 15,000 apprentices per year required to replace wastage and allow for a reasonable measure of growth in the skilled work force. During the same period, 12,134 applicants had their qualifications approved for apprenticeship.

Modular courses were introduced during 1972–73 in the trades of carpentry and joinery, gardening and turf management, jewellery making and repairing, patternmaking, and the vehicle trades of bodymaking and trimming. Modular courses were introduced into fourteen other trades in 1971 and 1972 and at 30 June 1973 were in varying stages of development for all other trades except the printing and food groups. During 1972–73 there were over 13,000 apprentices studying modular courses in Victoria. Although the introduction of these courses has already been welcomed by employers, the real benefits of having alternate areas of specialisation will not be felt until apprentices who are now studying basic modules progress to a study of the alternative modules.

The Commission welcomed the introduction by the Australian Government of the National Apprenticeship Assistance Scheme in 1973. The need for a subsidy to employers who train apprentices had been long recognised

by the State authorities and the acceptance by the Australian Government of the responsibility to make apprenticeship training economically viable was regarded as a major development.

The scheme introduced in conjunction with the Education Department in 1971 under which a senior technical school teacher was appointed as a training adviser to provide a free advisory service to industry was extended and in 1972-73 15 such teachers visited over 2,500 employers in 13 trade areas. The use of training advisers and the new "Apprentice Journals" or "Log books" are excellent ways of co-ordinating, to the greatest extent practicable, the training given by employers with that given at technical college.

The Commission is convinced that apprenticeship has so many advantages over alternate forms of training that the community cannot afford to let it diminish in importance. The combination of college-based training in basic skills, theory, and related instruction, interspersed with extensive practice in industry is an ideal form of training in the areas already covered and in many others which could be provided for in the future. Just as apprenticeship has changed progressively in the past to meet changing social and industrial needs (e.g., shortened terms and the introduction of the modular system of training), so it can continue to adapt in the future to provide tradesmen and technicians who have had properly balanced training in their trade or skill.

The proclaimed apprenticeship trades and the number of probationers and apprentices employed under the Act on 30 June in each of the years 1970 to 1974 are shown in the following table. These figures are extracted from the annual reports of the Apprenticeship Commission.

VICTORIA—NUMBER OF PROBATIONERS AND APPRENTICES EMPLOYED

Trade	1970	1971	1972	1973	1974
<b>Building trades—</b>					
Plumbing and gasfitting	2,413	2,447	2,363	2,436	2,631
Carpentry and joinery	3,059	3,078	3,038	3,499	4,201
Painting, decorating, and signwriting	396	450	491	530	595
Plastering	43	32	31	31	37
Fibrous plastering	208	153	145	160	175
Bricklaying	199	195	215	409	644
Tile laying	28	29	29	35	34
Stonemasonry	1	6	8	9	11
<b>Total building trades</b>	<b>6,347</b>	<b>6,390</b>	<b>6,320</b>	<b>7,109</b>	<b>8,328</b>
<b>Metal trades—</b>					
Engineering (incl. patternmaking)	4,378	4,439	4,423	4,399	4,686
Electrical	3,371	3,561	3,598	3,678	3,922
Motor mechanic	3,699	3,765	3,972	4,134	4,752
Moulding	113	134	140	135	146
Boilermaking and/or steel construction	1,104	1,126	1,158	1,145	1,228
Sheet metal	513	558	567	593	596
Electroplating	38	47	46	55	62
Aircraft mechanics	162	147	119	115	125
Radio tradesmen	332	343	325	344	401
Instrument making and repairing	183	191	174	159	158
Silverware and silverplating	15	12	9	11	14
Vehicle industry (incl. automotive machining)	1,671	1,779	1,941	1,986	2,172
Refrigeration mechanics	184	203	215	219	254
Optical fitting and surfacing	80	92	101	106	113
Sewing machine mechanics	..	..	..	..	31
<b>Total metal trades</b>	<b>15,843</b>	<b>16,397</b>	<b>16,788</b>	<b>17,079</b>	<b>18,660</b>

VICTORIA—NUMBER OF PROBATIONERS AND APPRENTICES EMPLOYED—*continued*

Trade	1970	1971	1972	1973	1974
<b>Food trades—</b>					
Breadmaking and baking	152	160	180	207	201
Pastrycooking	158	165	182	162	165
Butchering and/or small goods making	829	757	835	898	906
Cooking	275	307	392	455	566
Waiting	11	13	14	13	16
<b>Total food trades</b>	<b>1,425</b>	<b>1,402</b>	<b>1,603</b>	<b>1,735</b>	<b>1,854</b>
<b>Miscellaneous—</b>					
Footwear	172	162	149	108	110
Printing	1,719	1,691	1,598	1,361	1,367
Hairdressing	2,275	2,160	2,150	2,139	2,200
Dental technicians	63	70	79	96	111
Watch and clockmaking	51	51	44	43	53
Furniture (incl. wood machining)	933	894	864	994	1,232
Plate glass working	72	77	80	107	126
Gardening and turf management	91	116	168	200	244
Textile mechanics	11	20	61	105	148
Shipwrighting and boatbuilding	5	31	43	43	41
Dry cleaning	..	2	18	24	38
Garment cutting	..	..	14	37	42
Jewellery making and repairing	..	..	..	48	87
Floor finishing and covering	..	..	..	..	22
<b>Total miscellaneous</b>	<b>5,392</b>	<b>5,274</b>	<b>5,268</b>	<b>5,305</b>	<b>5,821</b>
<b>Grand total</b>	<b>29,007</b>	<b>29,463</b>	<b>29,979</b>	<b>31,228</b>	<b>34,663</b>

Further references, 1961-1974

## INDUSTRIAL ORGANISATIONS

## Labour organisations

*Registration*

1. *Under Trade Union Acts.* In 1884 the Victorian Parliament passed a Trade Union Act, based on an English Act of three years earlier, but the unions refused to register under it and the Act was amended in 1886. The *Trade Unions Act 1958* still makes provision for registration on compliance with certain standards. Registration gives a trade union a corporate identity and legal status for the purpose of engaging in strikes. However, registration has never been compulsory and few unions have sought the provisions of the legislation.

2. *Under the Commonwealth Conciliation and Arbitration Act.* Under Part VIII of the *Conciliation and Arbitration Act 1904-1973*, any association of employers in any industry who have, or any employer who has employed, on an average taken per month, not less than 100 employees during the six months preceding application for registration, or any association of not less than 100 employees in any industry, may be registered. However, the Public Service Arbitration Act provides that an association of less than 100 employees may be registered as an organisation under the Conciliation and Arbitration Act if its members comprise at least three fifths of all persons engaged in that industry in the Service. Such public service organisations are included in the figures shown below. Registered unions include both interstate associations and associations operating within one State only.

Registration under Australian Government legislation began in 1906. At the end of 1973 the number of employers' organisations registered under the provisions of the Conciliation and Arbitration Act was 81. The number of unions of employees registered at the end of 1973 was 149, with a membership of 2,266,400 representing 85 per cent of the total membership of all trade unions in Australia.

### *Trade unions*

#### *Historical*

Trade unions are continuous associations of wage earners whose ultimate objective is the improvement of industrial conditions of employment. Over the last one hundred years the framework of trade union organisation in Victoria has been radically affected by economic, industrial, political, and technological change. As Australia's union members in the work force constitute one of the highest percentages in the world, the importance of trade unions as socio-economic institutions is obvious.

Before 1850 mutual benefit societies had been set up by groups of workers to provide funeral and sick benefits and unemployment allowances. Typical of this trend was the first society established in Melbourne in 1844 by printing trade workers. In many instances these societies were the forerunners of present day trade unions. There were also isolated instances of workers forming temporary combinations to present a united front to employers. During the period 1850 to 1870, following the influx of people to the goldfields and the resultant development of industry and agriculture, widespread social and economic changes in Victorian society encouraged the formation of trade unions based on the English pattern. The first such union was the Operative Stonemasons Society established in Melbourne in 1850 and in the following year the Typographical Association of Victoria was formed. In some cases the early trade unions collapsed during the peak period of the gold rushes and were re-formed in the late 1850s. The main objective of these early unions was to gain recognition of the principle of an 8 hour day, and on 21 April 1856 the Stonemasons Society in Melbourne was the first Australian union to achieve employer acceptance of this aim. Coach builders and some building workers also gained a similar concession during 1856 and in the latter part of that year the first 8 hour celebration was held in Melbourne.

The original trade unions were almost entirely associations of skilled craftsmen who were concerned with maintaining their position and privileges against the less skilled workers as well as against employers. However, during the 1870s and 1880s this attitude was modified by the influence of ex-Chartist unionists who were concerned with the emancipation of all workmen and by the general level of prosperity. During this period Victoria saw the establishment of unions in such diverse areas as mining (1872), agricultural implement making (1873), seamen (1874), tanners and leather dressers (1875), operative bootmakers (1879), tailoresses (1882), and ironworkers and japanners (1883). Before the industrial depression and strikes of the 1890s trade unionism had been firmly established in Victoria and, although during this difficult period the union movement temporarily lost many of the advantages which it had previously gained, one important result was recognition of the need for direct Parliamentary representation. Although Charles Jardine Don had been a labor member



of the Victorian Parliament during the 1850s, the majority of trade unionists held the traditional view that the only legitimate area of concern of a union was with the particular affairs of its own trade. Consequently there was little support for views advanced by some of the more radical union members that the attainment of organised labour's industrial aims could only be fully achieved by representation in the colonial Parliaments. With the Melbourne Trades Hall Council acting as the co-ordinating body, a Labor political organisation was developed in Victoria and, whereas at the 1889 election only three members who could be considered Labor candidates were returned, in 1894 sixteen Labor members were elected. The decision of trade unions to directly enter the political arena met with a large degree of success and at a comparatively early stage they were able to secure majorities and form governments in some States and the Australian Parliament. Because of the existence of a powerful political wing the Australian trade union movement has, over the years, been able to use political avenues as well as industrial action to seek broad changes. (See also pages 97-103.)

#### *Present position*

By comparison with some other countries, the typical trade union in Australia is quite small. On the other hand, forty to fifty of the larger unions, such as the Australian Workers Union, the Australian Metal Workers Union, the Australian Railways Union, and the Postal Workers Union, account for a high percentage of the total membership. The same pattern applies to Victoria. The larger industry-based unions are usually able to offer a wider range of facilities to their members at a proportionately lower cost. Generally, they are also in a stronger bargaining position in the pursuit of their industrial objectives. On the other hand, it is felt that the continued existence of a large number of small craft-type unions is justified on the grounds that greater attention can be given to the particular problems of members and that management is often prepared to make concessions to a small group which they would not offer to a larger group. With the growth of industry, there has been some amalgamation and federalisation of unions as exemplified by the recent amalgamation of the brushmakers with the storemen and packers, and the Amalgamated Engineering Union with the sheetmetal workers and the boilermakers. Contemporary conditions are such that trade unions are becoming hybrid and moving more towards an occupational rather than a single or even multi-craft organisational basis. One alternative to amalgamation which has been adopted by a number of unions is to band together in a loose federation to deal with employers on an industry basis. The metal trades, brewing industry, paper industry, and building industry unions are typical of those that have followed this course.

Victorian trade unions usually have three clearly identifiable operational levels. The union is represented at the plant or factory level by a shop steward who enrolls members, collects dues, and acts as the intermediary between ordinary members and union management. The centre of individual trade union activity and control is at the State or branch level. Normally the State secretary is an elected full-time officer who is, subject to the policy decisions and ultimate control of an honorary president and executive, in charge of the day to day activities of the union. The secretary has the assistance of organisers who visit the individual plants and confer with shop stewards and

members. The branches receive members' dues (usually \$16 per annum per member), maintain membership records, and provide personal services such as giving advice on workers compensation and interpreting members' entitlements under the various determinations and awards. Where necessary, the union will either act, or provide legal assistance, for members in industrial matters. Many of the claims which are ultimately heard before industrial tribunals are also prepared at the State branch level.

There are only a small number of Victorian trade unions not affiliated with the Victorian Trades Hall Council and, because individual union activity is so important at State level, the role of the Trades Hall Council as co-ordinator and spokesman in industrial and political matters is of major significance. The Council Executive consists of the president, vice-president, and eleven members elected by delegates to an annual meeting. With the exception of trade unions which have amalgamated since 1 January 1973, no union irrespective of size, can nominate more than five delegates to attend the meeting. Those unions which have amalgamated since 1 January 1973 are at present entitled to the same representation they enjoyed prior to amalgamation. The Secretary and the Assistant Secretary, who are elected full-time officers, are also members of the Executive and with the Industrial Officer are ex-officio members of committees established by Council to investigate various activities. In addition to its overall responsibilities, the Council through its Disputes Committee controls strikes which involve more than one union. At the national level the highest policy making and co-ordinating body is a Federal Council in the case of the larger trade unions and since its establishment in 1927, the Australian Council of Trade Unions, which acts for the trade union movement as a whole.

Returns showing membership by States as at 31 December each year are obtained for all trade unions and employee organisations. The affairs of single organisations are not disclosed in the published results and this has assisted in securing complete information. In addition to the number of unions and of members, the following table shows the estimated percentages of wage and salary earners in employment who are members of trade unions. The estimates of total wage and salary earners have been derived by adding figures for employees in rural industry and private domestic service recorded at the 1966 Population Census to the estimates of employees in all other industries at the end of each year. For this reason, and also because the membership of trade unions includes some persons not in employment, the percentages shown in the table must be regarded as approximations.

## VICTORIA—TRADE UNIONS

At 31 December—	Number of separate unions	Number of members			Proportion of total wage and salary earners		
		Males	Females	Total	Males	Females	Total
		'000	'000	'000	per cent	per cent	per cent
1969	152	421.7	138.0	559.8	52	32	45
1970	156	437.9	153.6	591.5	52	34	46
1971	158	450.9	166.8	617.7	54	37	48
1972	158	461.2	190.9	652.1	54	41	49
1973	159	484.7	196.8	681.6	55	39	50

*Central labour organisations*

Delegate organisations, usually known as Trades Hall Councils or Labour Councils and consisting of representatives from a number of trade unions, have been established in each of the capital cities and in a number of other centres in each State. Their revenue is raised by means of a per capita tax on the members of each affiliated union. In most of the towns where such councils exist, the majority of the local unions are affiliated. At the end of 1973 there were eight trades and labour councils.

**Employers' associations**

Employers' associations arise when groups of employers agree among themselves to adopt a common labour policy, to negotiate common terms of employment, and to be represented jointly on or before industrial tribunals. These functions are, in fact, often performed by bodies which are concerned also with other objectives, such as the elimination of "unfair" trading practices, the enforcement of standards of professional conduct, or the grant of tariff protection and other political concessions. Such objectives are by no means unrelated to industrial matters, since there is an obvious connection between the terms on which goods can be sold and the wages that can be paid to those who have helped to produce them. In some organisations, however, these wider objectives overshadow or supplant the purely industrial. A broad distinction may, therefore, be drawn between (a) employers' associations in the narrower sense of bodies largely, if not primarily, concerned with industrial matters, and (b) other associations with predominantly different objectives, such as chambers of commerce, professional institutes, primary producers' unions, and many trade associations.

Employers' associations, as defined in the former category, first appeared in Victoria in the 1850s, notably in the building trade and the coachbuilding industry. The associations formed at that time, however, seem to have been temporary, their main purpose being to resist pressure for an eight hour day by the early trade unions. "Continuous" or permanent associations of employers did not appear until the 1870s. The Master Builders' Association dates from 1875 and the Victorian Chamber of Manufactures from 1877, the latter body being formed with the objective of influencing tariff policy and factory legislation, as well as resisting the eight hour day agitation. These two bodies were followed within a few years by the Victorian Employers' Union, which later changed its name to become the Victorian Employers' Federation.

A great stimulus to the growth of employers' associations in Victoria followed the establishment of the Wages Board system (see pages 266-8), particularly during the first two decades of the present century. Associations of Master Wheelwrights and Blacksmiths, Master Drapers, Master Hairdressers, and Master Grocers all followed closely upon the establishment of Wages Boards in their respective trades. Employers had to unite in order to nominate their representatives on the Boards. Since it became permissible in 1934 for paid officials to represent employers, many associations have nominated officers of the Chamber of Manufactures or of the Victorian Employers' Federation to represent them on the State Wages Boards.

Employers' associations in Victoria at the present time may be divided into three groups. One group is constituted by The Victorian Chamber of Manufactures, together with a large number of affiliated associations. The

Chamber has 6,493 company members and 166 industry associations and sections meet within the Chamber. The Chamber is incorporated as a company limited by guarantee and is administered by a council of 26 members, plus the immediate past president. The Chamber's secretariat acts for the members before both State and Australian industrial authorities. In addition to industrial matters, the Chamber has always taken an active part in proceedings before the Tariff Board. It also operates an insurance company and a wide variety of advisory commercial services for its members.

A second group is constituted by about 80 associations that are affiliated directly or indirectly to form the Victorian Employers' Federation. In addition, about 2,000 firms are individual members of the Federation. Most of the member associations operate in the building, distributive, or service industries, as distinct from but not excluding manufacturing industries. Several primary producers' unions are also affiliated with the Federation. Some of the affiliated associations are themselves federations of smaller and more specialised bodies. The Employers' Federation is an incorporated body registered with the Commonwealth Arbitration Commission, with a council of 120 members, an executive committee, seven elected office bearers (who constitute its Board of Governors) and a salaried director. The Federation provides secretarial services for about 25 of its member associations or institutes and undertakes industrial services for many others. Unlike the Chamber of Manufactures, it is not involved in tariff matters, but it has been active in organising training courses particularly in business administration at supervisor level, in providing advisory services on financial matters to small businesses, in providing assistance in recruitment, selection, and placement, language courses, surveys, wages, salaries, and fringe benefits, and in addition sponsoring various community services. It also operates a subsidiary insurance company for the benefit of the members of its affiliated associations.

Third, there is an indeterminate number of miscellaneous employers' associations that are not affiliated with either the Chamber or the Federation. Examples are the Victorian Showmen's Guild and the Electrical Contractors' Federation. In the case of some associations at least, the absence of affiliation with either the Victorian Employers' Federation or the Chamber of Manufactures is explained by the fact that they have ties with corresponding associations in other States. A few are actually branches of Australia-wide associations. It is probable that those associations which have interstate affiliations are mainly concerned with the Commonwealth industrial jurisdiction, rather than with the Victorian Wages Boards. Moreover, most of them must rely on their Federal secretariats to represent them before the Commonwealth tribunals, since very few specifically Victorian associations are registered for this purpose. Apart from the Chamber of Manufactures, the Victorian Employers' Federation, and the Automobile Chamber of Commerce, only some five or six Victorian employers' associations are registered with the Commonwealth Arbitration Commission.

Finally, it may be noted that unlike the trade union movement, employers' associations lack any central representative organisation. This is so in the Federal as well as in the State sphere. The Victorian Employers' Federation, the Chamber of Manufactures, and many individual associations are affiliated with corresponding bodies in other States, but their Federal organisations remain formally independent of one another, although they may in practice co-operate on particular issues.

**Further references, 1972, 1974**