

INDUSTRIAL CONDITIONS

INDUSTRIAL REGULATION

Jurisdictions

The regulation of wages and conditions of employment in Victoria is in part made pursuant to Federal legislation and in part the result of State law. The division between State and Federal jurisdictions applies also to public service employees. Both State and Federal regulations are overwhelmingly seen in the form of decisions by industrial tribunals which have the force of law. Figures in early 1976 showed that Federal awards covered 50.8 per cent of Victorian employees compared with 35.6 per cent under State determinations. Federal coverage of male employees (57.5 per cent) and State coverage of females (53.9 per cent) were higher than the overall figures.

In general terms it may be said Federal regulation applies to industries which lend themselves to national organisation and provision of uniform rates and conditions, e.g., banking, textile, and vehicle industries. Other industries which are organised and operated on a purely local basis are dealt with under State jurisdiction, e.g., hospitals, shops, and restaurants. The interdependence between the operation of the two systems ensures that wages and conditions have a high degree of correlation.

Many key areas of employment for which the Victorian Government is responsible come under Federal jurisdiction. Notable among such groups are those providing a direct service to the public, e.g., electricity, railways, tram, and bus employees. Processing of disputes in these areas constitutes a significant work load and is widely reported.

The relation between the Victorian and Commonwealth systems depends on the distribution of legislative powers between the Commonwealth and Victorian Governments. Under the Commonwealth of Australia Constitution Act, the Commonwealth Government's power over industrial matters is limited to "conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State".

The limitations have been accorded a generous interpretation by the High Court with the result that the Federal system has gradually become predominant in the sphere of industrial regulation throughout Australia. A Federal award supersedes an inconsistent State determination or statute. In addition, the Victorian legislation contains a number of provisions designed to encourage substantial uniformity of prescriptions with those of the Federal tribunal.

Major changes occurring in recent years have flowed from the Federal to the State system without significant delay or qualification. These changes included the replacement of a two component award wage with a unitary system known as the total wage (1967), the introduction of equal pay (1972), and the experimental adoption of a wage fixation system which incorporates consideration of adjustment of wages for movements in the Consumer Price Index (1975).

Federal jurisdiction

The Federal tribunal was first established pursuant to the *Conciliation and Arbitration Act* 1904. 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 was assigned the functions of conciliation and arbitration.

The Commission in 1977 was made up of the President, seven Deputy Presidents, and 22 Commissioners. Although the President and most Deputy Presidents have the same qualifications, rank, and status as Judges, provision now exists for appointment of other persons having special qualifications, experience, or standing in the community. Since 1972 the industries serviced by the Commission have been divided into panels. Each panel is administered by a Presidential member with the assistance of two or three Commissioners.

Where a dispute is notified or otherwise comes to the attention of the Presidential member concerned, it will be dealt with by way of conciliation unless that course is deemed inappropriate. The same approach is utilised for applications to vary existing awards. If conciliation is exhausted, arbitration on the outstanding matters will take place. Although objection may be taken to the same member of the Commission moving from conciliation to arbitration, such objections are not common. Provision is made for the certification of agreements arrived at between the parties subject to certain conditions.

Where disputes or applications involve issues of special significance, or where appeals are lodged against single member arbitrations, the matters are dealt with by a Full Bench comprising three or more members of the Commission at least two of whom must be Presidential members.

Coincidental with the introduction of the panel system, there has been a tendency for proceedings to be shorter and less formal. Many matters are determined in conference. A discussion forum enables the parties to have a more marked influence on the eventual solution of the issues in dispute.

Single members of the Commission deal with a wide-ranging variety of disputes. Although the jurisdiction of the tribunal is circumscribed in many ways, both unions and employers use the Commission as a general clearing house for any dispute which is not otherwise resolved.

Full Benches of the Commission determine appeals from decisions of single members, test case issues, and other matters of particular importance in the public interest. A recent amendment to the Act enables the Minister to seek reference of a dispute to a Full Bench or a review of an award by a Full Bench on grounds related to the public interest.

Where matters are dealt with by a Full Bench, section 39 (2) of the Act provides that:

“the Commission shall take into consideration the public interest and for that purpose shall have regard to the state of the national economy and the likely effects on that economy of any award that might be made in the proceedings or to which the proceedings relate, with special reference to likely effects on the level of employment and on inflation.”

While stressing that its primary function is to settle disputes, the Commission has always maintained that due and proper weight has been given to the economic consequences of its actions. The latest amendment to section 39 (2) seeks to emphasise the weight which should be given to economic considerations in the major decisions of the Commission.

In the years up to 1975 it had become traditional for a general wage claim based on economic grounds to be considered annually in what were known as “national wage cases”. In 1975 a Full Bench of the Commission tentatively

altered this procedure. An indexation package was suggested with quarterly hearings to consider whether wages should be adjusted for movements in the Consumer Price Index and an annual hearing to review movements in national productivity. The indexation package was based on twin expectations:

(1) That there would be substantial compliance with the guidelines laid down; and

(2) that other increases in labour costs would be negligible.

Full percentage wage adjustment continued until February 1976. Since then, with economic recession continuing, the increases reflected by quarterly movements in the Consumer Price Index have usually been discounted in some way. The Commission has however refused to accept arguments, including those put by the Commonwealth Government, that the state of the economy precludes any increase in wages.

In a recent review of its role, the Commission made the following observations :

"First, the Commission is a body independent of governments, unions and employers. It should not be seen as an arm of government which formulates wage decisions simply to 'fit in' with economic policy. The Commission treats all submissions on their merit.

Second, in relation to the Commonwealth's submission that in the present circumstances we should give greater weight to economic considerations, while the distinction between economic and industrial arguments is useful for analytical purposes, the economic consequences of any decision which the Commission makes on wages cannot be evaluated in isolation from the industrial consequences, because of their interaction. In practice, the task of the Commission is to weigh all the relevant considerations in order to come to a decision which may reasonably be expected to produce the best overall result. What may appear from a certain viewpoint to be the best wage decision for economic recovery, may turn out to be wrong when industrial considerations are brought to bear on the decision."

In December 1976 legislation was passed setting up a new Federal Court. The jurisdiction of the new court covers a number of divisions, one of which concerns the powers and functions formerly exercised by the Commonwealth Industrial Court. The principal powers and functions are :

- (1) Enforcement and interpretation of awards ;
- (2) registration of organisations and disputes as to union rules ; and
- (3) appeals from State courts, exercising Federal jurisdiction pursuant to the Conciliation and Arbitration Act.

Victorian jurisdiction

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 original four Boards to more than 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 wage 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 may 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 legalism.

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 may 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. As a result of a recent judgment in the Supreme Court, the Labour and Industry Act was amended by the *Labour and Industry (Industrial Appeals Court) Act 1977* to make the lay members advisory members only. They do not participate in the making of any decision or determination. All questions of law and fact are determined by the President who makes all decisions and determinations and gives all directions required to be made by the Court. The Court hears references by the Minister on matters which are common and affecting more than one Wages Board; 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 more than 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 call a meeting of the Board immediately. These procedures have shown increasing effectiveness in handling day-to-day disputes which generally affect only a section of the Wages Board determination, or a section of the labour force covered by a particular determination.

The *Labour and Industry (Wages Board Determinations) Act 1975* enables the monitoring of determinations of Wages Boards to ensure that wage increases provided in determinations fall within the principles outlined by the Commonwealth Conciliation and Arbitration Commission in the National Wage Cases of April and September 1975.

It has five main aims:

- (1) It removes the limit on the number of Chairmen of Wages Boards that may be appointed;
- (2) it provides that a Chairman of a Wages Board shall furnish the Minister with documents and any information on the business of the Board he may require for the proper conduct of his public business—this is essential for the effective carrying out of the monitoring role by the Minister;
- (3) it allows the Minister to refer to the Industrial Appeals Court for determination a matter which requires to be determined by more than one Wages Board—the existing provision allows such a reference when the matter requires to be determined by ten or more Wages Boards;
- (4) it gives the Minister an additional power to bring Wages Board Determinations before the Industrial Appeals Court—the Minister may request the review of a Determination where no appeal is lodged and the Determination will be deemed not to have come into operation; and
- (5) it requires the Chairman to state the grounds upon which he based his decision where his vote carries the resolution, or where the Determination is made without his vote to give his approval and state his reasons.

During 1977 there were 70 meetings of Wages Boards called under section 41 (2) of the *Labour and Industry Act 1958* to deal with 66 disputes. Of these, 61 were settled by the Boards after the first meeting, 3 after subsequent meetings, and 2 were not resolved at the end of the year ending 31 December 1977.

The relative infrequency of appeals from Wages Boards decisions perhaps indicates a degree of satisfaction by all parties with 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.

DETERMINATIONS OF WAGE RATES AND LEAVE CONDITIONS

Legal minimum wage rates are generally prescribed in awards or determinations of Federal and State industrial arbitration tribunals, in collective agreements registered with these tribunals, or in unregistered collective agreements.

As outlined earlier in this chapter, wage rates are determined by the Commonwealth Conciliation and Arbitration Commission for those industries which extend beyond the boundaries of any one State, and by Victorian Wages Boards for industries which do not extend beyond the State boundary.

Commonwealth wage determinations

Basic wage

1907 to 1967

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.

Until 1967 the concept of a "basic" or "living" wage was common to rates of wage determined by industrial authorities in Australia. Initially the concept of a basic wage for adult males was interpreted as the wage necessary to maintain an average employee and his family in a reasonable state of comfort. However, later it came to be generally accepted that the basic wage should be fixed at the highest amount which the economy could sustain and that the dominant factor was the capacity of the community to carry the resultant wage levels.

The female basic wage fluctuated as a percentage of the male basic wage, but in later years was generally assessed at 75 per cent.

In addition to the basic wage, secondary wage payments, including margins for skill and various kinds of loadings, peculiar to the occupations or industry, were determined by industrial authorities. The basic wage, plus the secondary wage, where prescribed, made up the minimum wage for a particular occupation. Over time the incidence of margins spread to nearly every classification.

The basic wage was for many years automatically adjusted each quarter for movements in the cost-of-living index, but in 1953 the practice was abolished in favour of what became annual reviews of the basic wage based on the "capacity to pay" principle. General reviews or margins took place at longer intervals.

Total wage

1967 to 1976

The decision of the Commonwealth Conciliation and Arbitration Commission in the National Wage Cases of 1967 introduced the total wage concept thereby eliminating the separate components of basic wage and margins.

Equal pay between the sexes in a restricted form was granted in 1969 but the concept was liberalised in 1972 and full implementation of equal pay was achieved by June 1975.

In 1975 wage indexation in the form of quarterly adjustments to award total wages based on increases in the Consumer Price Index was introduced. The Commission also announced its intention to consider each year the effect of productivity for total wage awards.

*National Wage Cases 1977**

To September 1977 three national wage case hearings dealing with the quarterly Consumer Price Index movements were concluded. The March decision, which dealt with the 6 per cent Consumer Price Index increase for the December 1976 quarter, resulted in an increase to the total wage of \$5.70 per week. This figure included \$2.90 for Medibank and \$2.80 being 2.8 per cent of the six State capitals minimum wage.

In relation to the 2.3 per cent Consumer Price Index increase for the March 1977 quarter, the May national wage decision awarded an increase of 1.9 per cent to all award wage and salary rates up to \$200 per week which was approximately the average weekly earnings. The increase above this level was a flat \$3.80 per week. The effect of devaluation on the imported items of the Consumer Price Index of about 0.4 per cent was excluded from the index for purposes of wage adjustment.

The August national wage decision dealt with the 2.4 per cent June 1977 quarter Consumer Price Index increase by granting an increase of 2.0 per cent for all awards, after discounting the effect of devaluation.

* For further information refer to the supplement at the end of this *Year Book*.

MELBOURNE—COMMONWEALTH BASIC WEEKLY WAGE RATES
(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.

MELBOURNE—AWARD WAGE RATES: FEDERAL AWARDS

Date operative (a)	Adult males		Adult females	
	General increase in weekly award total wage	Minimum weekly wage	General increase in weekly award total wage	Minimum weekly wage
		\$		\$
1967 1 July	\$1.00	37.45	\$1.00	..
1968 25 October	\$1.35	38.80	\$1.35	..
1969 19 December	3 per cent	42.30	3 per cent	..
1971 1 January	6 per cent	46.30	6 per cent	..
1972 19 May	\$2.00	51.00	\$2.00	..
1973 29 May	2 per cent plus \$2.50	60.00	2 per cent plus \$2.50	..
1974—23 May	2 per cent plus \$2.50	68.00	2 per cent plus \$2.50 (b)	57.80
30 September (c)	"	68.00	"	61.20
1975—1 January	"	76.00	"	68.40
15 May	3.6 per cent	80.00	3.6 per cent	72.00
30 June (d)	"	80.00	"	80.00
18 September	3.5 per cent	82.80	3.5 per cent	82.80
1976—15 February	6.4 per cent	88.10	6.4 per cent	88.10
1 April	"	93.10	"	93.10
15 May	(e) 3 per cent	95.90	(e) 3 per cent	95.90
15 August	(f) 1.5 per cent	98.40	(f) 1.5 per cent	98.40
22 November	2.2 per cent	100.60	2.2 per cent	100.60
1977—31 March	\$5.70	106.30	\$5.70	106.30
24 May	(g) 1.9 per cent	108.30	(g) 1.9 per cent	108.30
22 August	2.0 per cent	110.50	2.0 per cent	110.50

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

(b) First stage introduction of the minimum weekly adult male wage for adult females (85 per cent of adult male wage).

(c) Second stage introduction of the minimum weekly adult male wage for adult females (90 per cent of adult male wage). Rates operative from the beginning of the pay period in which 30 September 1974 occurs.

(d) Final stage introduction of the minimum weekly adult male wage for adult females. Rates operative from the beginning of the pay period in which 30 June 1975 occurs.

(e) Maximum increase \$3.80 per week.

(f) Minimum increase \$2.50 per week.

(g) Maximum increase \$3.80 per week.

Equal pay

Detailed particulars of Equal Pay Cases conducted in 1969, 1972, and 1974 appear in previous *Victorian Year Books* and *Labour Reports*.

Victorian Wages Boards determinations

Apart from the period between November 1953 and August 1956, when an amendment to the Factories and Shops Act required Wages Boards to provide for automatic quarterly adjustments to the basic wage in the Wages Board Determinations in accordance with variations in retail price index numbers, Wages Boards in determining wage rates had adopted Commonwealth basic wage rates.

Since July 1966, when the Conciliation and Arbitration Commission decided to insert rates of minimum wage for adult males into Federal awards, Wages Boards have followed these prescriptions, and since 7 August 1967 the total wage concept with the consequent elimination of basic wage and margins from Wages Boards Determinations has applied, and total wages for adult males and adult females have been increased by similar amounts to those awarded to Federal award employees.

In December 1969 the Industrial Appeals Court ordered that a minimum wage for adult males should operate in all Wages Boards Determinations and since then this minimum wage has been increased by the same amount of increase as prescribed for the Federal minimum wage for adult males.

In May 1974 the concept of a minimum wage was extended to adult females on the same basis as for females employed under Federal awards, of 85 per cent of the relevant adult male minimum wage initially, increasing to 90 per cent by 30 September 1974, and to 100 per cent by 30 June 1975.

VICTORIA—WAGES BOARDS DETERMINATIONS

Date operative (a)	Adult males		Adult females	
	General increase in weekly award total wage	Minimum weekly wage	General increase in weekly award total wage	Minimum weekly wage
1967 1 July	\$1.00	\$	\$1.00	\$
1968 25 October	\$1.35	..	\$1.35	..
1969 19 December	3 per cent	(b) 42.30	3 per cent	..
1971 1 January	6 per cent	46.30	6 per cent	..
1972 19 May	\$2.00	51.00	\$2.00	..
1973 29 May	2 per cent plus \$2.50	60.00	2 per cent plus \$2.50	..
1974—23 May	2 per cent plus \$2.50	68.00	2 per cent plus \$2.50(c)	57.80
1975—30 September (d)	"	68.00	"	61.20
1975—1 January	"	76.00	"	68.40
15 May	3.6 per cent	80.00	3.6 per cent	72.00
30 June (e)	"	80.00	"	80.00
18 September	3.5 per cent	82.80	3.5 per cent	82.80
1976—15 February	6.4 per cent	88.10	6.4 per cent	88.10
1 April	"	93.10	"	93.10
15 May	(f) 3 per cent	95.90	(f) 3 per cent	95.90
15 August	(g) 1.5 per cent	98.40	(g) 1.5 per cent	98.40
22 November	2.2 per cent	100.60	2.2 per cent	100.60
1977—31 March	\$5.70	106.30	\$5.70	106.30
24 May	(h) 1.9 per cent	108.30	(h) 1.9 per cent	108.30
22 August	2.0 per cent	110.50	2.0 per cent	110.50

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

(b) Concept of a minimum wage for adult males adopted in all Victorian Wages Boards determinations.

(c) First stage introduction of the minimum weekly adult male wage for adult females (85 per cent of adult male wage).

(d) Second stage introduction of the minimum weekly adult male wage for adult females (90 per cent of adult male wage). Rates operative from the beginning of the pay period in which 30 September 1974 occurs.

(e) Final stage introduction of the minimum weekly adult male wage for adult females. Rates operative from the beginning of the pay period in which 30 June 1975 occurs.

(f) Maximum increase \$3.80 per week.

(g) Minimum increase \$2.50 per week.

(h) Maximum increase \$3.80 per week.

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.

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 Federal awards.

Following this decision individual Victorian Wages Boards commenced to alter provisions of their determinations to grant employees an extra week's leave. By December 1976 there were 185 determinations which provided four weeks annual leave.

The minimum provision remains at three weeks. The Labour and Industry (Annual Holidays) Order 1967, operative from 1 April 1967, provides for three

weeks paid annual leave to employees not covered by a determination of a Wages Board or of the Industrial Appeals Court.

From 1 January 1973 employees of the Victorian Public Service and workers in Victorian Government instrumentalities were granted four weeks annual leave.

As a result of the decision of the Commonwealth Conciliation and Arbitration Commission in October 1972 to grant a $17\frac{1}{2}$ per cent annual leave loading to those employed under the Metal Industry Award there has been a steady increase in the numbers of Wages Boards granting this benefit. At December 1976 there were 176 determinations which provided for a loading of $17\frac{1}{2}$ per cent on annual leave payments.

Officers of the Victorian Public Service were awarded a $17\frac{1}{2}$ per cent loading from 31 December 1973.

Long service leave

Commonwealth

The applicability of long service leave provisions under State law to workers under Federal 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.

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.

Under the *Public Service Act* 1974 officers and employees of the Victorian Public Service are entitled to three months long service leave after ten years service.

RATES OF WAGE AND HOURS OF WORK

Incidence of industrial awards, determinations, and collective agreements

In April 1954, May 1963, May 1968, and May 1974 surveys were conducted to determine the approximate proportions of employees covered by awards, determinations, and collective agreements under the jurisdiction of Commonwealth and State industrial authorities. The proportions of employees not so covered (including those working under unregistered industrial agreements) were also obtained.

Returns were collected from: (1) a stratified random sample of those private employers and local government authorities subject to pay-roll tax, and (2) practically all Commonwealth 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.

The following table gives a broad comparison of the results of all surveys. A more detailed comparison is not possible because of differences in sample design, industry classification, and the level of sampling variability.

The changes in the percentage figures shown in the table reflect changes in the general level of employment; in industry and occupational structure (including the creation of new industries); in the coverage of individual

Federal and State awards, etc.; and in the creation of new awards, etc., for employees not previously affected by awards.

VICTORIA—PERCENTAGE OF EMPLOYEES AFFECTED BY AWARDS, DETERMINATIONS, AND COLLECTIVE AGREEMENTS

Particulars	April 1954	May 1963	May 1968	May 1974
MALES				
Affected by—				
Federal awards, etc.	59.4	57.3	57.7	57.5
State awards, etc.	27.4	27.9	24.6	25.8
Unregistered collective agreements } Not affected by awards, etc. }	13.2	14.8	{ 3.6 14.1	3.0 13.8
Total	100.0	100.0	100.0	100.0
FEMALES				
Affected by—				
Federal awards, etc.	47.7	44.3	39.9	38.1
State awards, etc.	45.2	47.0	50.8	53.9
Unregistered collective agreements } Not affected by awards, etc. }	7.1	8.7	{ 1.7 7.6	1.5 6.5
Total	100.0	100.0	100.0	100.0
PERSONS				
Affected by—				
Federal awards, etc.	56.3	53.5	52.0	50.8
State awards, etc.	32.3	33.5	33.0	35.6
Unregistered collective agreements } Not affected by awards, etc. }	11.4	13.0	{ 3.0 12.0	2.5 11.2
Total	100.0	100.0	100.0	100.0

Wage rates

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 wage rates used in the compilation of the indexes are the lowest rates for a full week's work (excluding overtime) prescribed for particular occupations. In the majority of cases the rates are prescribed in awards or determinations of Federal or State industrial authorities or in collective agreements registered with them. Rates prescribed in unregistered collective agreements are used where these are dominant in the particular industries to which they refer.

The wage rates indexes are based on the occupation structure existing in 1954. Weights for each industry and each occupation 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 collective agreements, and 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., in the various industries, thereby providing occupation weights.

The minimum wage rates used in the indexes are for representative occupations within each industry. They have been derived entirely from representative awards, determinations, and collective agreements in force at the end of each period commencing with March 1939 for adult males and March 1951 for adult females. By using the industry and occupation weights derived from the surveys

described above, rates were combined to give weighted averages for each industry group for each State and Australia. Because of coverage difficulties the rural industry is not included in the indexes. A list of the major awards used in the compilation of the wage rates index for adult males, together with explanatory notes, was shown in the July 1974 and August 1974 editions of the publication *Wage rates and earnings*. The industry weighting pattern of the indexes is shown in the 1973 edition of the *Labour Report*.

The indexes are designed to measure trends in wage rates in current awards, etc., excluding the effects of changes in the relative importance of industries, awards, and occupations. The weighted average wage rates shown in the tables in this section are therefore indexes expressed in money terms, and do not purport to be actual current averages. Similarly, neither these weighted average wage rates nor the corresponding index numbers measure the relative levels of average current wage rates as between States or industries.

Since 1954 the industrial structure in Australia has undergone changes which are likely to have had some effects on the representativeness of the regimen of the indexes. These effects are mitigated because occupations in new or expanding industries are often covered by existing awards and the wage rates for new occupations usually conform very closely to those for existing occupations. Also, where an entirely new award has been made and the number of employees affected has warranted such action, occupations from the new award have been introduced into the indexes. These latter cases have not been of marked significance.

AUSTRALIA AND VICTORIA—
WEEKLY WAGE RATES (a) (b)

At end of December—	Rates of wage (c) (\$)		Index numbers (Australia 1954 = 100) (d)	
	Australia	Victoria	Australia	Victoria
ADULT MALES				
1967	45.00	44.59	159.3	157.9
1968	48.98	48.86	173.4	173.0
1969	51.86	51.74	183.6	183.2
1970(e)	54.20	53.68	191.9	190.1
1971	61.56	61.40	218.0	217.4
1972	67.71	67.86	239.8	240.3
1973	77.69	77.42	275.1	274.1
1974	105.53	105.15	373.7	372.3
1975	117.88	117.15	417.4	414.8
1976	135.16	134.00	478.6	474.5
ADULT FEMALES				
1967	32.57	32.04	163.6	160.9
1968	34.85	34.52	175.0	173.4
1969	37.70	37.08	189.4	186.2
1970	39.68	38.65	199.3	194.2
1971	47.06	45.68	236.4	229.5
1972	52.04	51.10	261.4	256.7
1973	65.16	62.80	327.3	315.5
1974	91.62	89.97	460.2	451.9
1975	108.55	108.90	545.2	547.0
1976	125.73	125.90	631.5	632.4

(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 collective agreements. Rural industries are excluded.

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

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

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

(e) 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.

VICTORIA—WEEKLY WAGE RATES (a) : INDUSTRY GROUPS

Industry group	Rates of wage (b) (\$)			Index numbers (Australia 1954 = 100) (c)		
	At end of December—			At end of December—		
	1974	1975	1976	1974	1975	1976
ADULT MALES						
Mining and quarrying (d)	103.61	115.08	131.07	366.9	407.5	464.1
Manufacturing—						
Engineering, metals, vehicles, etc.	102.59	112.86	129.09	363.3	399.6	457.1
Textiles, clothing, and footwear	92.38	108.82	124.53	327.1	385.3	440.9
Food, drink, and tobacco	101.60	112.37	131.44	359.7	397.9	465.4
Sawmilling, furniture, etc.	98.88	107.68	123.13	350.1	381.3	436.0
Paper, printing, etc.	109.63	121.77	139.43	388.2	431.2	493.7
Other manufacturing	101.95	113.57	130.23	361.0	402.1	461.1
All manufacturing groups	101.25	112.63	129.31	358.5	398.8	457.9
Building and construction	117.96	131.45	149.01	417.7	465.5	527.6
Railway services	95.85	102.75	117.78	339.4	363.8	417.1
Road and air transport	105.00	113.62	129.72	371.8	402.3	459.3
Shipping and stevedoring (e)	120.29	147.38	166.85	425.9	521.8	590.8
Communication	131.57	142.40	161.71	365.5	465.9	572.6
Wholesale and retail trade	106.46	119.90	136.68	376.9	424.6	484.0
Public authority (n.e.i.) and community and business services	102.32	118.01	136.56	362.3	417.9	483.9
Amusement, hotels, personal service, etc.	97.76	108.71	124.37	346.2	384.9	440.4
All industry groups (a)	105.15	117.15	134.00	372.3	414.8	474.5
ADULT FEMALES						
Manufacturing—						
Engineering, metals, vehicles, etc.	94.07	111.73	127.59	472.5	561.2	640.9
Textiles, clothing, and footwear	80.39	100.49	118.07	403.8	504.7	593.1
Food, drink, and tobacco	91.29	109.03	124.97	458.5	547.7	627.8
Other manufacturing	90.36	108.67	124.60	453.9	545.9	625.9
All manufacturing groups	85.47	104.61	121.45	429.3	525.5	610.1
Transport and communication	100.29	112.46	129.13	503.8	564.9	648.6
Wholesale and retail trade	97.39	119.51	136.45	489.2	600.3	685.4
Public authority (n.e.i.) and community and business services	97.00	113.70	132.14	487.3	571.1	663.8
Amusement, hotels, personal service, etc.	88.26	103.87	120.68	443.3	521.7	606.2
All industry groups (a)	89.97	108.90	125.90	451.9	547.0	632.4

(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 collective 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, the 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 subsequent 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

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 249-50 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.

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 1976	31 March 1939	31 March 1948	31 December 1976
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	39.97	110.2	100.1	100.0
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	39.98	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	38.83	110.1	100.1	97.2
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	39.92	111.3	100.2	99.9

For footnotes, see the foot of the next 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 1976	31 March 1951	30 June 1953	31 December 1976
Manufacturing—						
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
All manufacturing groups	39.97	39.97	39.97	100.8	100.8	100.8
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
All industry groups (a)	39.81	39.81	39.81	100.3	100.3	100.3

(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.

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

Average weekly earnings

The statistics 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 statistics relate only to civilians.

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 statistics for each quarter are published in the *Monthly review of business statistics* and the monthly publication *Wage rates*. 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
1967-68	67.80	65.50	1972-73	r 102.80	r 101.80
1968-69	72.40	70.40	1973-74	r 118.80	r 118.30
1969-70	78.40	76.30	1974-75	r 147.80	r 148.30
1970-71	86.40	84.80	1975-76	r 170.50	r 169.60
1971-72	r 93.90	r 93.40	1976-77	191.20	190.80

(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.

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 247-8.

Surveys of wage rates, earnings, and hours*Introduction*

The object of these surveys has been to obtain information on wage rates, actual weekly earnings, and hours of work on a more comprehensive scale than has been previously available.

Although the coverage of the surveys has varied from time to time, generally when details were obtained of employees of private employers, non-government hospitals not subject to pay-roll tax, and local government authorities, stratified random samples were used, whereas fuller details were obtained from all Commonwealth and State Government departments, authorities, and semi-government bodies. Employees of private employers not subject to pay-roll tax were excluded from the surveys as were employees in the rural industry and private domestic service, employees of religious, benevolent, and other similar organisations exempt from pay-roll tax (other than hospitals and government authorities), and waterside workers employed on a casual basis.

For a number of reasons of definition, coverage, scope, sample design, and sampling variability, comparisons between the results of the different surveys are not directly possible. Particulars of the results of individual surveys are available in separate publications issued by the Australian Bureau of Statistics.

A brief summary of each survey follows.

Survey of wage rates and earnings, September 1960

This survey, relating to the last pay period in September 1960, obtained information on marginal rates of wage and actual weekly earnings of adult male employees (excluding part-time and casual employees). In addition to the exclusions mentioned above, the survey did not cover government and semi-government employees, shipping and stevedoring industries, the motion picture industry, certain businesses such as those of accountants, consulting engineers, etc., and trade associations. The survey was designed to provide accurate particulars for Australia as a whole and State details are not available.

Survey of weekly earnings, October 1961

This survey related to the last pay period in October 1961 and provided information on the distribution of actual weekly earnings of full-time adult male employees (excluding part-time and casual employees). Excluded from the survey were government and semi-government employees together with the exclusions mentioned under the introductory heading above. Australian details were obtained for eight separate industry groups, while State details were restricted to the two major groups, manufacturing and non-manufacturing.

Surveys of weekly earnings and hours, October 1962, 1963, and 1964

These surveys related to the last pay period in October of each year and were based on random samples of private employers who pay-roll tax and did not cover employees mentioned under the introductory heading above. The surveys provided data on average weekly and hourly earnings, and average weekly hours paid for, for adult and junior male and female employees of private employers by principal industry groups for Australia and broad industry groups by States.

Survey of weekly earnings, October 1965

A special purpose survey of weekly earnings of full-time male employees in both the private and government sectors was conducted for the last pay period in October 1965.

The object of the survey was to obtain estimates of the numbers and proportions of full-time adult male employees in various weekly earnings groups and a dissection of total weekly earnings paid into: (1) overtime earnings; and (2) ordinary-time earnings at "award, etc., rates" (divided into: (i) payment by

measured result; and (ii) other) as defined. Average weekly earnings for full-time adult males and junior male employees were also provided, as were separate details for: (1) managerial, executive, professional, and higher supervisory staff; and (2) other full-time male employees.

Survey of weekly earnings and hours, October 1966 to October 1971

In addition to obtaining data for the calculation of average weekly earnings, average hourly earnings, and average weekly hours paid for, information on overtime and ordinary-time earnings and hours for full-time adult and junior employees of private employers (other than managerial, etc., staff) was obtained separately by industry groups and by States beginning with the October 1966 survey. Published figures reflect the effects of differences (and of changes between points of time) in amounts paid for the various occupations, in amounts paid for the same occupations in occupational structures within industries, in industry structure, in degrees of business activity (incidence of overtime, etc.), and in the incidence of incentive schemes, piecework, and profit-sharing scheme payments, etc.

Survey of weekly earnings (size distribution), May 1971

A survey of weekly earnings of adult male employees was conducted for the pay period which included 12 May 1971. The survey covered both private and government employees, excluding those employees detailed under the introductory heading on the previous page.

The object of the survey was to obtain estimates of the numbers and proportions of full-time adult male employees (paid for a full week) in various total weekly earnings groups, average weekly total earnings for these employees, and a dissection of average weekly total earnings into average weekly overtime earnings and average weekly ordinary-time earnings. Separate details were obtained for: (1) managerial, executive, professional, and higher supervisory staff; and (2) other full-time adult male employees. (Similar statistics were obtained in the October 1965 survey, but lacked the depth of industry scope.)

Surveys of weekly earnings and hours, October 1972 to October 1976

Although the scope of October surveys of weekly earnings and hours conducted between 1966 and 1971 was similar to those conducted between 1972 and 1976, they covered only most private employers subject to pay-roll tax (see explanation under the introductory heading on the previous page).

In October 1972 the coverage was expanded to include, among other things, employees in non-government hospitals not subject to pay-roll tax, and employees of Commonwealth, State, and local government authorities. Because of the changes in coverage, results of the 1972 and subsequent surveys are not generally directly comparable with those for earlier years. Also, in 1974, the industry classification was changed from that used in previous surveys to the Australian Standard Industry Classification (ASIC). Consequently, estimates by industry are not directly comparable with earlier survey results.

Surveys of earnings and hours of employees

Distribution and composition, May 1974, May 1975, and May 1976

These surveys were designed to provide statistics of the distribution of employees according to weekly earnings and hours and the composition of weekly earnings and hours for various categories of employees and for the principal occupations for the pay period which included 31 May 1974, 30 May 1975, and 24 May 1976, respectively. The coverage of these surveys was the same as that used in the May 1971 Surveys of Weekly Earnings (Size Distribution). However, because of differences in sample design, the results of these surveys

are not directly comparable with other surveys and series such as the October Surveys of Weekly Earnings and Hours of Employees, the May 1971 Survey of Weekly Earnings (Size Distribution), and the quarterly series of Average Weekly Earnings. In the October surveys and the May 1971 survey, adults included persons under 21 years of age who were paid at adult rates; in the May 1974, 1975, and 1976 surveys such persons were included with others under 21 years of age.

Weekly earnings of employees (distribution), August 1975 and August 1976

These surveys, based on a quarterly population survey, were conducted to obtain information about weekly earnings of wage and salary earners which is not available in other series. The surveys were based on multi-stage area samples of private dwellings and covered about two thirds of 1 per cent of the population of Australia.

Questions were asked of each person aged 15 years or over in the samples, and the estimates produced from the surveys relate to all persons aged 15 years and over who were employed as wage and salary earners in their main job, except members of the permanent defence forces, certain diplomatic personnel, and patients in hospitals and sanatoria, or inmates of gaols, reformatories, etc.

Details published show for full-time and part-time male and female wage earners, various cross-classifications, the distribution of weekly earnings, age, hours worked, number of jobs held, whether private or government employment, industry, occupation, birthplace, period of residence in Australia, and marital status.

Surveys of income distribution, 1968-69 and 1973-74

In November 1969 and November 1974 surveys based on quarterly population surveys for those periods were conducted throughout Australia to obtain information about the distribution of personal and family income within Australia. The surveys were based on a multi-stage area sample of private dwellings and covered about one half of 1 per cent of the population of Australia.

Questions were asked of each person aged 15 years and over in each sample on the amount of income received in 1968-69 and 1973-74 from each of the following sources: (1) money, wages, or salary, (2) own business, trade, or profession (net income), (3) share in partnership (net income), (4) government social security benefits, (5) superannuation or annuity, (6) interest, dividends, rent, etc., and (7) other sources such as trust or will, maintenance, or alimony. Details published show various cross-classifications of the above collected data for all persons aged 15 years and over.

INDUSTRIAL CONDITIONS

Control of labour conditions

Early 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*.

Victorian Department of Labour and Industry

The Victorian Department of Labour and Industry administers the *Labour and Industry Act* 1958. Wages Boards (see pages 239–41), the Industrial Training Commission (see pages 259–62), and the Building Industry Long Service Leave Board are statutory bodies under the administration of the Minister of Labour and Industry.

Generally the Department deals with the registration and inspection of factories and shops, boilers and pressure vessels, lifts, cranes and scaffolding, and 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, trading hours for shops, 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 ; and
- (5) initiation and direction of research and the collection, preparation, and dissemination of information and statistics on matters within departmental jurisdiction.

Industrial disputes

The collection of information relating to industrial disputes involving stoppage of work was initiated by the Australian Statistician in 1913 and statistics have been published regularly since that time.

For the purposes of 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: (1) direct collections from employers and trade unions concerning individual disputes ; (2) reports from government departments and authorities ; (3) reports of Commonwealth and State industrial authorities ; and (4) 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 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 statistics for the following year.

VICTORIA—INDUSTRIAL DISPUTES (a) : INDUSTRY GROUPS

Year	Mining	Manufacturing	Construction	Transport (b)		Other industries	All groups
				Stevedoring	Other		
NUMBER OF DISPUTES							
1972	..	223	29	47	38	40	377
1973	3	238	70	38	28	54	431
1974	6	248	71	58	33	60	476
1975	2	233	48	51	33	57	424
1976	..	170	56	28	35	33	322
WORKERS INVOLVED (DIRECTLY AND INDIRECTLY) ('000)							
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
1974	0.3	251.0	202.0	25.3	50.3	82.1	611.0
1975	0.4	282.4	59.4	9.8	86.6	132.3	570.9
1976	2.4	287.3	58.9	10.0	108.1	180.5	647.3
WORKING DAYS LOST ('000)							
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
1974	2.7	1,247.5	574.5	28.6	302.1	231.2	2,386.6
1975	2.2	581.4	250.1	10.8	89.4	287.8	1,221.7
1976	4.2	632.4	235.3	10.5	179.9	357.8	1,420.0
ESTIMATED LOSS IN WAGES (\$'000)							
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
1974	91.9	22,850.3	12,814.2	536.7	6,058.9	4,553.3	46,905.3
1975	57.2	14,938.2	7,448.4	287.3	2,176.7	6,989.0	31,896.8
1976	149.9	17,483.7	9,105.6	328.1	5,316.9	9,733.6	42,117.8

(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 (ASIC). The above figures are not comparable with those published in *Victorian Year Books* before 1977.**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.

Many of the important Acts and regulations concerning industrial safety regulations and inspections, with reference to the administrative authority responsible in each case, have been discussed in previous *Victorian Year Books*. During 1975 a series of regulations were made to convert imperial measurements to metric. The consolidating Labour and Industry (Machinery) Regulations 1975 contained important amendments designed to improve the safety factor in the operation of various types of machines.

Workers compensation

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

The first workers compensation legislation in Victoria was passed in 1914 to give certain industrial workers and their dependents 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 significantly widened by frequent amendments, which were consolidated in 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.

More detailed particulars of workers compensation legislation may be obtained in the *Conspectus of Workers Compensation Legislation in Australia* published by the Commonwealth Department of Employment and Industrial Relations, previous *Victorian Year Books*, and *Labour Reports*.

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
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
1973-74	5,541,497	118,869	70,506	140,231
1974-75	7,407,595	185,337	78,781	181,559

Statistics for premiums and claims in the preceding table differ somewhat from those shown in Chapter 21 in the Private Finance section of this *Year Book*. In the latter section most schemes of compensation are not included and the figures shown do not always relate strictly to the financial year, since some insurance companies close their books at other times of the year. 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.

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

Claims	1970-71	1971-72	1972-73	1973-74	1974-75
Under Workers Compensation Act—					
Compensation—					
Weekly	11,444	12,980	20,739	26,342	28,230
Lump sum—					
Death	4,679	6,168	5,839	9,401	6,685
Maim	4,204	4,522	4,688	6,178	9,038
Medical, etc., services—					
Doctor	4,709	5,049	5,749	6,725	7,709
Hospital	3,158	3,727	4,381	5,385	6,530
Chemist or registered nurse	212	247	293	298	323
Ambulance	161	196	215	231	396
Other curative, etc., services	500	559	593	699	1,007
Legal costs, etc.	4,022	4,609	6,178	7,858	10,024
Under other Acts and common law					
damages, etc.	4,367	4,808	5,054	7,389	8,839
Total	37,456	42,865	53,729	70,506	78,781

National Compensation and Rehabilitation Scheme

In January 1973 the Commonwealth Government announced the establishment of a committee to report upon the feasibility of establishing a National Rehabilitation and Compensation Scheme.

A Bill drafted by the committee to establish such a scheme was referred to the Senate Standing Committee on Constitutional and Legal Affairs in October 1974. The Committee recommended some modifications to the Bill.

The Minister of Social Security met State Government Ministers in May 1976 for exploratory discussions to determine whether the States wished to participate with the Commonwealth Government in the joint development of a national compensation programme.

Subsequently the Commonwealth and State Officers Steering Committee met in June 1976 to undertake a joint examination of various options for improving existing compensation systems.

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 obtainable under the *Workers Compensation Act* 1958 (as amended) are set out on page 256.

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.

Statistics

Tables showing certain aspects of industrial accidents in Victoria in the years 1971-72 to 1973-74 can be found on pages 298-301 of the *Victorian Year Book* 1977.

Consumer protection

General

On 3 June 1974, the Ministry of Consumer Affairs came into operation pursuant to the provisions of the *Ministry of Consumer Affairs Act* 1973 to administer the *Consumer Affairs Act* 1972 (as amended) and the *Small Claims Tribunals Act* 1973. The activities of the Consumer Affairs Bureau and the Small Claims Tribunal were brought under the administration of the Ministry. The Consumer Affairs Council, which is an independent advisory body, is also associated with the Ministry.

At the same time a Director of Consumer Affairs was appointed who is responsible for the operation of the Ministry. One important power given to the Director by the *Consumer Affairs Act* 1972 is that he may initiate or defend civil proceedings on behalf of consumers. However, before undertaking any such action the Director must be satisfied that the consumer has a cause of action or a good defence and that such a case is in the public interest. The Director cannot undertake such action without the approval of both the Minister of Consumer Affairs and the consumer. The Director is also required to submit annually to the Minister, for presentation to both Houses of the Victorian Parliament, a report on the activities of the Ministry.

The *Consumer Affairs Act* 1974, which came into operation on 1 January 1975, made a number of significant amendments to the *Consumer Protection Act* 1972. Some of the major provisions of the *Consumer Affairs Act* 1974 are:

(1) The name of the Consumer Protection Bureau and title of the *Consumer Protection Act* 1972 were changed to the Consumer Affairs Bureau and the *Consumer Affairs Act* 1972, respectively;

(2) the Act provides that where a post office box number is shown in an advertisement, the name and address of the person publishing that statement must also be shown;

(3) the legislation further provides that the vendor must on request supply the purchaser with an invoice or document containing particulars of the goods sufficient to identify them, and particulars of such information, as to standards of the goods or parts as ought reasonably be made known to the purchaser or which the purchaser specifies in his request;

(4) when a person effects repairs to goods and in the course of carrying out these repairs, replace parts, he must offer to return these parts to the consumer; and

(5) the *Consumer Affairs Act* 1974 empowers the making of certain regulations with respect to packaging.

In the area of consumer legislation, several other government departments have enacted legislation to provide additional protection to consumers.

A significant example is the amendments made to the *Local Government Act* 1958, which provide protection to persons building a new home. This legislation, in the form of the *Local Government (House Builders' Liability) Act* 1973 (as amended), came into operation on 15 October 1974 and provides that a builder cannot, after that date, enter into a contract to construct a dwelling house (or sell a dwelling house, the construction of which he began after that date), unless an approved guarantee or insurance policy is in force with respect to that house.

Consumer Affairs Bureau

The Consumer Affairs Bureau is staffed by officers of the Victorian Public Service, and unlike the Consumer Affairs Council (which is responsible to the Minister), the Bureau is directly responsible to the Director of Consumer Affairs. The role of the Bureau is to receive and investigate individual consumers' complaints and, in certain circumstances, to institute legal proceedings for breaches of the Consumer Affairs Act. The Bureau also advises consumers on how to obtain their rights and in matters affecting the interests of consumers to: (1) investigate such matters, (2) conduct research, and (3) collect and collate information.

Small Claims Tribunal

The Small Claims Tribunal was established on 4 February 1974, pursuant to the provisions of the *Small Claims Tribunals Act* 1973. The function of the Tribunal is to provide, at a nominal cost, an alternative to court action for consumers requiring redress. The aim of the Tribunal is to settle claims by negotiation, but a settlement or order made by the Tribunal is binding upon both parties. The Tribunal's referee can hear any claim (as defined by the Act) irrespective of the value of the goods or services in dispute. However, an order made by the referee can only be enforced up to a maximum amount of \$1,000.

Consumer Affairs Council

The Consumer Affairs Council is an independent advisory body of ten persons who are appointed by the Minister of Consumer Affairs, and are representative of consumers and sellers of goods and services. The functions of the Council are to investigate any matter affecting the interests of consumers referred to it by the Minister; to make recommendations with respect to any matter calculated to protect the interests of consumers; to consult 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 to disseminate information and encourage and undertake educational work. The Council is also required to submit annually to the Minister, for presentation to both Houses of the Victorian Parliament, a report on its activities.

Motor Car Traders Committee

This Committee is an independent statutory authority which was established by and for the purposes of administering the *Motor Car Traders Act 1973* which Act regulates trading activities in motor cars. The Committee was transferred to the Ministry in October 1976.

In addition to licensing all new, used, commercial vehicle motor car traders and automotive wreckers, the Committee also investigates complaints and breaches of the Act and Regulations. In particular, the Committee investigates complaints against used car traders arising out of the statutory warranty which applies to all cars sold for a sum in excess of \$500. In the event of settlement by negotiation not eventuating, the Committee may arbitrate the dispute by consent of both parties. The Committee administers a Guarantee Fund which has been constituted under the Act and may authorise payments to customers who have suffered pecuniary loss as a result of a licensed motor car trader defaulting in the carrying out of his obligations under the Act.

Industrial Training Commission

With the introduction of the *Industrial Training Act 1975*, the Apprenticeship Commission was superseded by the Industrial Training Commission. The new legislation, besides consolidating and updating previous legislation dating back to 1927, allows for an expansion of activities beyond the limits of the previous legislation, which was restricted to the regulation and oversight of the training of apprentices.

Apprenticeship, as it has been in the past, will remain the principal means of training skilled tradesmen in Victoria. However, the scope of the new legislation will allow for two important developments in trade training which are best described as "pre-apprenticeship training" and "adult training".

The legislation is designed to utilise the knowledge, ability, and experience of representatives of employers and employees, together with the Victorian Government, in supervising the training of persons undertaking pre-apprenticeship courses, apprenticeship, and adult training courses, and in co-ordinating the training in skilled trades both in technical schools and industry.

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

The main duties of the Commission are to review the requirements of Victoria for skilled tradesmen; the availability of skilled tradesmen to meet those requirements; the availability of young persons for training in skilled trades; the availability of vacancies for apprentices, pre-apprenticeship trainees and adult trainees, and the extent to which employers are participating in the training of such apprentices and trainees; the adequacies of the training of apprentices, pre-apprenticeship trainees, and adult trainees 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 1977 there

were 50 committees functioning in respect of the 133 proclaimed apprenticeship trades in which 35,980 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. Twenty such advisory committees were operating at 30 June 1977. A new concept arising from the recent legislation will be the appointment of industry advisory committees. The function of such a committee will be to advise the Commission on the skilled manpower requirements in the industry and the measures that may be necessary to correct any likely shortage or surplus of skilled tradesmen in such an industry.

The Commission achieved a record intake of apprentices during the year ended 30 June 1974 when 11,022 new apprentices were indentured, a 24 per cent increase on the previous best intake of 8,867 which occurred in 1970-71. As a result of the economic situation, the level of intake was not maintained in 1975 and 1976. However, the intakes of 9,483 for the year ended 30 June 1975 and 9,474 for the year ended 30 June 1976 are among the highest achieved. The intake of 10,241 for the year ended 30 June 1977 is the second highest on record and represents an 8.1 per cent increase on the previous year. Having regard to the difficulties being experienced by many sectors of industry, the Commission regards the National Apprenticeship Assistance Scheme (N.A.A.S.), introduced by the Commonwealth Government in 1973 and subsequently increased in 1975, as having been a substantial contributor to the maintenance of intake levels. The impact of the Commonwealth Government subsidy on apprenticeship intakes was particularly marked in the latter half of the 1976-77 financial year.

The N.A.A.S. subsidy was replaced by the Commonwealth Rebate for Apprentice Full-Time Training (C.R.A.F.T.) scheme as from 15 January 1977, which has further increased the subsidy influence on apprentice intakes. Under the C.R.A.F.T. scheme, a tax-free subsidy is paid for all years of trade school training as against the one year subsidy under the N.A.A.S. scheme.

Despite several years of reasonably high intake levels, the total number of apprentices in training dropped to a low of 33,532 at 30 June 1975. This was caused to some extent by the large number of completions of four and five year terms of apprenticeship which had occurred as a result of the introduction of a maximum term of apprenticeship of four years effective from the 1971 intake. The year ended 30 June 1976 showed a reversed trend with the total number of apprentices in training only 377 below the 1974 figure. A record 35,980 apprentices were in training during the year ended 30 June 1977, 1,317 more than the 1974 total.

Modular courses which were first introduced in Victoria in 1971 have been expanded to cover all trade groups except printing and the food trades. Industry is now appreciating the value of alternative areas of specialisation which has largely eliminated the necessity for splitting trade classifications. Promising results are being achieved in some trades in respect of self-paced learning, in particular panel beating and metal fabrication. A further modification of apprentice training was introduced at the commencement of the 1977 school year. The new system, termed Accelerated Training, blends the training usually given in the first and second years into the first year alone, thus reducing the trade school training term from three years to two years and increasing apprenticeship productivity in the early years of apprenticeship. At 30 June 1977, there were 13 trades which were involved in pilot Accelerated Training schemes.

As an aid to training the Commission has introduced training journals or log books in which the nature of the work done by the apprentice in the workshop situation and in his prescribed trade course is recorded. Senior technical school teachers are attached to the Commission's office and act as training advisers in seventeen trades.

Victoria has introduced apprenticeship into the agricultural industry, the first time this has been done in Australia. Farming and fruit growing were proclaimed as apprenticeship trades during the year ended 30 June 1975. Through the application of the modular system of training, farming has been broken into three separate streams—grazing, cropping, and dairying. In 1975 classes were commenced at Ararat, Bendigo, Colac, Echuca, Hamilton, Shepparton, Swan Hill, and Warragul. The response from the rural community has been most favourable and because of the strong demand for expansion of the type of training available through apprenticeship, farming trade courses were commenced in 1976 at Benalla, Wangaratta, Irymple, Geelong East, Horsham, Kerang, Cobden, and Seymour.

The Commission believes that apprenticeship has many advantages over alternate forms of training. The combination of college-based training in basic skills, theory, and related instruction, interspersed with extensive practice in industry is a valuable form of training in the areas already covered, and possibly in many others. Just as apprenticeship has changed progressively in the past to meet changing social and industrial needs, the new legislation will facilitate the orderly development and expansion to meet the real need for particular skills in the community.

The proclaimed apprenticeship trades and the number of probationers and apprentices employed at 30 June for each of the years 1973 to 1977 are shown in the following table. These figures have been extracted from the annual reports of the Commission.

VICTORIA—NUMBER OF PROBATIONERS AND APPRENTICES EMPLOYED

Trade	At 30 June—				
	1973	1974	1975	1976	1977
Building trades—					
Plumbing and gasfitting	2,436	2,631	2,231	2,312	2,404
Carpentry and joinery	3,499	4,201	4,104	4,160	4,184
Painting, decorating, and signwriting	530	595	613	625	686
Plastering	31	37	40	39	44
Fibrous plastering	160	175	235	240	254
Bricklaying	409	644	755	640	586
Tile laying	35	34	42	42	53
Stonemasonry	9	11	10	11	20
Roof slating and tiling	..	..	34	85	181
Total building trades	7,109	8,328	8,064	8,154	8,412
Metal trades—					
Engineering (incl. patternmaking)	4,399	4,686	4,122	4,015	4,182
Electrical	3,678	3,922	3,598	3,588	3,712
Motor mechanics	4,134	4,752	4,679	4,984	5,303
Moulding	135	146	143	127	137
Boilermaking and/or steel construction	1,145	1,228	1,158	1,204	1,309
Sheet metal	593	596	546	541	541
Electroplating	55	62	59	51	57
Aircraft mechanics	115	125	98	103	92
Radio tradesmen	344	401	411	412	416
Instrument making and repairing	159	158	159	157	181
Silverware and silverplating	11	14	14	14	21
Vehicle industry (incl. automotive machining)	1,986	2,172	1,990	2,048	2,126
Refrigeration mechanics	219	254	246	258	268
Optical fitting and surfacing	106	113	90	99	103
Sewing machine mechanics	..	31	42	62	71
Total metal trades	17,079	18,660	17,355	17,663	18,519

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

Trade	At 30 June—				
	1973	1974	1975	1976	1977
Food trades—					
Breadmaking and baking	207	201	193	171	161
Pastrycooking	162	165	185	194	206
Butchering and/or small goods making	898	906	989	972	969
Cooking	455	566	627	689	766
Waiting	13	16	7	18	26
Total food trades	1,735	1,854	2,001	2,044	2,128
Miscellaneous—					
Footwear	108	110	92	78	83
Printing	1,361	1,367	1,299	1,265	1,285
Hairdressing	2,139	2,200	2,241	2,143	2,198
Dental technicians	96	111	105	109	138
Watch and clockmaking	43	53	50	64	65
Furniture (incl. wood machining)	994	1,232	1,274	1,357	1,381
Flat glass working	107	126	141	133	151
Horticultural	200	244	274	354	442
Textile mechanics	105	148	133	131	116
Shipwrighting and boatbuilding	43	41	43	45	56
Dry cleaning	24	38	32	30	25
Garment cutting	37	42	53	53	57
Jewellery making and repairing	48	87	106	124	126
Floor finishing and covering	..	22	88	116	142
Agricultural	..	..	180	423	635
Bedding and mattress making	..	..	1	..	21
Total miscellaneous	5,305	5,821	6,112	6,425	6,921
Grand total	31,228	34,663	33,532	34,286	35,980

INDUSTRIAL 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. 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*, 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 Commonwealth Government legislation began in 1906. At 31 December 1976 the number of employers' organisations registered under the provisions of the Conciliation and Arbitration Act was 78. The number of unions of employees registered at the end of 1976 was 147, with a membership of 2,348,700 representing 84 per cent of the total membership of all trade unions in Australia.

Trade unions

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 in 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 more 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, for example, by the amalgamation of the brushmakers with the storemen and packers, and the Amalgamated Engineering Union with the sheet-metal 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, 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.

Only a small number of Victorian trade unions are not affiliated with the Victorian Trades Hall Council, which is the central labour organisation in the State, and, because individual union activity is so important at the State level, the role of the Trades Hall Council as co-ordinator and spokesman in industrial and political matters is of major significance (see the section on central labour organisations below). Further details on the history of trade unions in Victoria can be found in previous *Victorian Year Books*.

Returns showing membership by States at 31 December for 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 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 1971 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	Persons	Males	Females	Persons
		'000	'000	'000	per cent	per cent	per cent
1972	158	461.2	190.9	652.1	54	41	49
1973	159	484.7	196.8	681.6	55	39	50
1974	158	501.1	210.5	711.6	57	42	52
1975	159	506.2	216.1	722.3	60	43	54
1976	164	504.1	213.8	717.9	60	42	53

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 1976 there were eleven provincial trades and labour councils in Victoria.

The Victorian Trades Hall Council Executive consists of the president, vice-president, secretary, assistant secretary, and fourteen members. Of these members, seven are elected by the Council and seven by respective industry groups. With the exception of trade unions which have amalgamated since 1 January 1973, no union, irrespective of size, can nominate more than six 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.

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: (1) employers' associations in the narrower sense of bodies largely, if not primarily, concerned with industrial matters; and (2) 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 239-41), 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 5,956 company members and 152 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 Commonwealth and State industrial authorities. In addition to industrial matters, the Chamber has always taken an active part in proceedings before the Industries Assistance Commission. 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 2,800 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 Conciliation and Arbitration Commission, with a council of 65 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 Manufacturers, it is not involved in tariff matters, but it has been active in organising training courses particularly in business administration at the supervisory level, in providing advisory services on financial matters to small businesses, in providing assistance in recruitment, selection, and placement, 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 Victorian Automobile Chamber of Commerce, only some five or six Victorian employers' associations are registered with the Commonwealth Conciliation and 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.

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- 6101.0 Labour statistics (annual)
- 6302.0 Average weekly earnings (quarterly)
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