

CHAPTER III.—WAGES AND HOURS.

§ 1. Arbitration and Wages Boards Acts and Associated Legislation.

1. **General.**—Particulars regarding the operation of Commonwealth and State Acts for the regulation of wages, hours and conditions of work were first compiled for the year 1913 and particulars for later years have appeared in subsequent issues of the Labour Report.

2. **Laws Regulating Industrial Matters.**—The principal Acts in force regulating rates of wage, hours of labour and working conditions generally in both Commonwealth and State jurisdictions at the end of 1964 are listed below:—

COMMONWEALTH.

Conciliation and Arbitration Act 1904–1964.
Public Service Arbitration Act 1920–1960.
Coal Industry Act 1946–1958.
Stevedoring Industry Act 1956–1963.
Snowy Mountains Hydro-electric Power Act 1949–1958.
Navigation Act 1912–1961.

STATES.

New South Wales ..	Industrial Arbitration Act, 1940–1964. Coal Industry Act, 1946–1960.
Victoria	<i>Labour and Industry Act</i> 1958 as amended to 1964
Queensland ..	“ <i>The Industrial Conciliation and Arbitration Acts, 1961 to 1964</i> ”
South Australia ..	Industrial Code, 1920–1963. Public Service Arbitration Act, 1961–1964.
Western Australia ..	<i>Industrial Arbitration Act, 1912–1963.</i> <i>Mining Act, 1904–1964.</i>
Tasmania	<i>Wages Boards Act</i> 1920 as amended to 1964. <i>Public Service Tribunal Act</i> 1958 as amended to 1961.

3. **Methods of Administration.**—(i) *Commonwealth*—(a) *Conciliation and Arbitration Act.*—Under placitum (xxxv.) of section 51 of the Commonwealth of Australia Constitution, the Commonwealth Parliament is empowered to make laws with respect to “conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State”. The Parliament has made such a law, namely, the Conciliation and Arbitration Act.

This Act defines “an industrial dispute” as “(a) a dispute (including a threatened, impending or probable dispute) as to industrial matters which extends beyond the limits of any one State; and (b) a situation which is likely to give rise to a dispute as to industrial matters which so extends; and includes (c) such a dispute in relation to employment in an industry carried on by, or under the control of, a State or an authority of a State; (d) a dispute in relation to employment in an industry carried on by, or under the control of, the Commonwealth or an authority of the Commonwealth, whether or not the dispute extends beyond the limits of any one State; and (e) a claim which an organization is entitled to submit to the Commission under section eleven A of the *Public Service Arbitration Act* 1920–1960 (see page 51) or an application or matter which the Public Service Arbitrator has refrained from hearing, or from

further hearing, or from determining under section fourteen A of that Act, whether or not there exists in relation to the claim, application or matter a dispute as to industrial matters which extends beyond the limits of any one State”.

The Conciliation and Arbitration Act was extensively amended by Act No. 44 of 1956. 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 under the Act, and the Commonwealth Conciliation and Arbitration Commission to handle the functions of conciliation and arbitration. In recent years a number of other amendments have been made to the Act, the latest amending Act being No. 99 of 1964. A summary of the provisions of the *Conciliation and Arbitration Act* 1904-1964 is given in the following paragraphs.

(b) *The Commonwealth Industrial Court.*—The Commonwealth Industrial Court is at present composed of a Chief Judge and four other Judges and the Act provides that the jurisdiction of the Commonwealth Industrial Court shall be exercised by not less than two Judges except in the following circumstances. A single Judge may exercise the jurisdiction of the Court with respect to a dismissal or injury of an employee on account of industrial action, interpretation of awards, questions concerning eligibility for membership of an organization, disputes between an organization and its members and a prescribed matter of practice or procedure. A single Judge may refer a question of law for the opinion of the Court constituted by not less than two Judges. The Court is a Superior Court of Record with the same power to punish contempts of its power and authority as is possessed by the High Court. In general, decisions of the Industrial Court are final; however, an appeal lies to the High Court, but only when the latter grants leave to appeal. Provision is made for the registration of employer and employee associations. In matters involving disputed elections in organizations, the Court may direct the Registrar to make investigations, and if necessary order a new election. The Act also provides for the Commission to exercise the powers of the Court with regard to an application for cancellation of registration of an organization. Any such change of jurisdiction must be notified by proclamation. This provision could be used if the powers of the Court in this regard were declared, in whole or in part, to be invalid.

Special provision is made concerning the right of audience before the Commonwealth Industrial Court. Briefly, except in proceedings which, in general, involve questions of law or offences against the Act, parties are able to elect whether to appear personally or to be represented by lawyers or officials. Even in proceedings involving questions of law, except appeals from decisions by other Courts to the Industrial Court on matters arising under this Act or the *Public Service Arbitration Act* 1920-1960, the parties may, if they wish and the Court grants leave, be represented by officials.

(c) *The Commonwealth Conciliation and Arbitration Commission.*—The Commonwealth Conciliation and Arbitration Commission at the end of 1964 was composed of a President, five Deputy Presidents, a Senior Commissioner, ten Commissioners and three Conciliators. The presidential members of the Commission must have been solicitors or barristers of the High Court or of the Supreme Court of a State of not less than five years' standing or Judges of the previously existing Court of Conciliation and Arbitration.

The Commonwealth Conciliation and Arbitration Commission is empowered to prevent or settle industrial disputes by conciliation or arbitration, and to make suggestions and to do such things as appear right and proper for (a) effecting a reconciliation between the parties to industrial disputes; (b) preventing and settling industrial disputes by amicable agreement; and (c) preventing and settling, by conciliation or arbitration, industrial disputes not prevented or settled by amicable agreement. The Commission may exercise its powers of its own motion or on the application of a party.

The President may assign a Commissioner to deal with industrial disputes relating to particular industries, or members of the Commission to deal with a particular industrial dispute. However, subject to the approval of the President, it is the duty of the Senior Commissioner to organize and allocate the work of the Commissioners and Conciliators.

When an industrial dispute occurs or is likely to occur, the Act provides that a Commissioner shall take steps for the prompt prevention or settlement of that dispute by conciliation, or, if in his opinion conciliation is unlikely to succeed or has failed, by arbitration. A Commissioner may arrange with the Senior Commissioner for a Conciliator to assist the parties to reach an amicable agreement and shall do so if the parties so request. If an agreement is reached, a memorandum of its terms shall be made in writing, and may be certified by the Commission. A certified memorandum shall have the same effect as an award.

Only the Commission in Presidential Session, that is, the Commission constituted by at least three presidential members nominated by the President, has the power to make awards, or to certify agreements concerning standard hours, basic wages and long service leave.

An industrial dispute being heard by a Commissioner may be referred to the Commission on the ground of public interest. If a party to a dispute makes an application for such a reference, the Commissioner shall consult with the President, who may direct that the Commission constituted by three members, one of whom is a presidential member and one is, where practicable, the Commissioner concerned, shall hear and determine the dispute, or that part referred to it. In this hearing the Commission may have regard to evidence given and arguments adduced previously before the Commissioner, and it may refer a part of the dispute back to the Commissioner for determination. The President may, before the Commission has been constituted for the referred dispute, authorize a presidential member of the Commission or a Commissioner to take evidence on the Commission's behalf.

An appeal against the decision of a Commissioner shall be heard by not less than three members nominated by the President, of whom at least two shall be presidential members of the Commission. However, an appeal will not be heard unless the Commission considers it is necessary as a matter of public interest. The President, after taking account of the views of the parties to a dispute, may appoint a member of the Commission to take evidence on behalf of a presidential bench of the Commission, so that it can have this evidence before it when it commences its hearing.

Where matters relating to appeals or references to the Commission under both or either of the Conciliation and Arbitration Act and the Public Service Arbitration Act are being heard, and the Commission is not constituted by the same persons for these matters, the President may, if he is of the opinion that

they involve a question in common, direct that the Commission in joint session (i.e. comprised of those persons who constituted the Commission in the separate matters) may take evidence and hear argument on that question.

Provision is also made in the Act for a presidential member of the Commission to handle industrial matters in connection with the maritime industries, the Snowy Mountains Area and the stevedoring industry, except in those matters for which the Act requires that the Commission shall be constituted by more than one member.

The Commonwealth Conciliation and Arbitration Commission also deals with disputes and industrial matters, interstate or intra-State, associated with undertakings or projects of the Commonwealth Government which have been declared by the Minister to be Commonwealth projects for the purposes of this Act. In effect, this places employees of Commonwealth projects, so declared, under the jurisdiction of the Commission. The Commission may also make an award in relation to an industrial dispute involving such employees. The Minister has the power to exempt certain persons or classes of persons working on these projects from the jurisdiction of the Commission.

The Commission may make an award in relation to an industrial dispute when the Public Service Arbitrator refrains from dealing with claims made by a Public Service employee organization or consents to the claims being presented to the Commission, though such an award may be inconsistent with a law of the Commonwealth relating to salaries, wages, rates of pay or terms or conditions of service of employees in the Public Service as defined by section three of the *Public Service Arbitration Act 1920-1960*, not being the *Commonwealth Employees' Compensation Act 1930-1964*, the *Commonwealth Employees' Furlough Act 1943-1959*, the *Superannuation Act 1922-1963* or any other prescribed Act.

The Act provides that where a State law, or an order, award, decision or determination of a State industrial authority is inconsistent with or deals with a matter dealt with in an award of the Commonwealth Conciliation and Arbitration Commission, the latter shall prevail, and the former, to the extent of the inconsistency or in relation to the matter dealt with, shall be invalid.

(d) *Coal Industry Tribunal*.—The Coal Industry Tribunal was established under the *Commonwealth Coal Industry Act 1946* and the *New South Wales Coal Industry Act, 1946* to consider and determine interstate disputes and, in respect of New South Wales only, intra-State disputes between the Australian Coal and Shale Employees' Federation and employers in the coal-mining industry.

Special war-time bodies were created to deal with specific aspects of the coal industry, reference to which was made in earlier issues of the Labour Report (see No. 40, page 53). Under amending legislation passed jointly by the Commonwealth and New South Wales Parliaments in 1951, the Tribunal was vested with authority to deal with all interstate industrial disputes in the coal-mining industry, irrespective of the trade union involved, and, in the case of New South Wales, intra-State disputes also. The Tribunal consists of one person, who may appoint two assessors nominated by the parties to advise him in matters relating to any dispute. Subsidiary authorities are the Local Coal Authorities and Mine Conciliation Committees, who may be appointed to assist in the prevention and settlement of certain disputes. An amendment to the *Commonwealth Coal Industry Act*, passed in 1952, makes it obligatory for the Tribunal to use conciliation and arbitration to settle industrial disputes.

(e) *Commonwealth Public Service Arbitrator.*—Wages, hours of work and working conditions in the Commonwealth Public Service are regulated by the Commonwealth Public Service Arbitrator, under powers conferred by the *Public Service Arbitration Act 1920-1960*. The system of arbitration commenced to operate in 1912, cases being heard by the Commonwealth Court of Conciliation and Arbitration as part of the ordinary work of that Court. In 1920, however, the control was transferred to the Arbitrator, who is appointed by the government for a term of seven years, and who need not have legal qualifications.

Provision is now made for an organization of employees in the Public Service to submit a claim to the Commonwealth Conciliation and Arbitration Commission with the consent of the Public Service Arbitrator or where the Arbitrator has, other than on the ground of triviality, refrained from hearing or determining the claim.

Appeals from decisions of the Arbitrator may be made to the Commission.

(f) *Australian Capital Territory.*—Since May, 1949, industrial matters in the Australian Capital Territory have been dealt with by authorities established by the Commonwealth Conciliation and Arbitration Act. Matters outside the jurisdiction of a Commissioner, assigned to the Australian Capital Territory, are dealt with by the Commonwealth Industrial Court and the Commonwealth Conciliation and Arbitration Commission.

From 1922 to 1949 industrial matters in the territory were regulated by a local Industrial Board. Details of the provisions relating to the Board during its period of jurisdiction may be found in earlier issues of the Labour Report (see No. 36, p. 51).

(ii) *States*—(a) *New South Wales.*—The controlling authority is the Industrial Commission of New South Wales, which, at the end of 1964, consisted of a President and seven other Judges. Subsidiary tribunals are the Conciliation Commissioners, the Apprenticeship Commissioner, Conciliation Committees and Apprenticeship Councils constituted for particular industries. Each Conciliation Committee consists of a Conciliation Commissioner as Chairman and equal numbers of representatives of employers and employees. The Apprenticeship Commissioner and the members of the Conciliation Committee for an industry constitute the Apprenticeship Council for the industry. These subsidiary tribunals may make awards binding on industries, but an appeal to the Industrial Commission may be made against any award. Special Commissioners with conciliatory powers and limited arbitration powers may be appointed. Compulsory control commenced in 1901, after the earlier Acts of 1892 and 1899 providing for voluntary submission of matters in dispute had proved abortive.

(b) *Victoria.*—The authorities are separate Wages Boards for the occupations and industries covered, each consisting of a chairman and equal numbers of representatives of employers and employees, and a Court of Industrial Appeals, the latter presided over by a Judge of the County Court. The system was instituted in the State in 1896, and represented the first example in Australia of legal regulation of wage rates.

(c) *Queensland.*—Legal control was first instituted in 1908 with the passing of the Wages Boards Act. "The *Industrial Conciliation and Arbitration Act of 1961*" established the Industrial Conciliation and Arbitration Commission and preserved and continued in existence the Industrial Court. The Industrial Court is constituted by the President (a Judge of the Supreme Court of

Queensland) sitting alone, and the Full Industrial Court by the President and two Commissioners. The Conciliation and Arbitration Commission is constituted by a Commissioner sitting alone and the Full Bench of the Commission by at least three Commissioners. Not more than five Commissioners shall be appointed. A Commissioner shall not be capable of being a member of the Executive Council or of the Legislative Assembly, and shall not take part in the management of any business. For further details of the provisions of "*The Industrial Conciliation and Arbitration Act of 1961*" see Labour Report No. 49, pages 52-54.

(d) *South Australia*.—The principal tribunal is the Industrial Court of South Australia composed of the President (a person eligible for appointment as a Judge of the Supreme Court) who may be joined by two assessors employed in the industry concerned; Deputy Presidents may also be appointed. There are also Industrial Boards for the various industries, consisting of a chairman and equal numbers of representatives of employers and employees. Another tribunal provided for under the Industrial Code is the Board of Industry, composed of a President, who shall be the President or a Deputy President of the Industrial Court, and four Commissioners. Broadly speaking, the functions of these three tribunals are:—(i) the Industrial Court delivers awards concerning workers who do not come under the jurisdiction of the Industrial Boards and hears appeals from decisions of Industrial Boards, and Boards of Reference; (ii) the determinations of the Industrial Boards apply to most industries in the metropolitan area; however, for employees of the Public Service, Railways and councils of a municipality or district, determinations of Industrial Boards apply to the whole of the State; (iii) the Board of Industry declares, for the whole of the State, the "living" wage.

(e) *Western Australia*.—Legal control dates back to 1900. The present system of control comprises the Western Australian Industrial Commission consisting of four Commissioners, and the Western Australian Industrial Appeal Court consisting of three Supreme Court Judges who are nominated by the Chief Justice of Western Australia. A Commissioner may, in relation to any dispute or other matter, refer such matters to the Commission in Court Session. Similarly, appeals from decisions of a single Commissioner are heard by the other three Commissioners acting as the Commission in Court Session, but such hearings are restricted to the evidence and matters raised in the proceedings before the single Commissioner. The Commission in Court Session fixes and adjusts the basic wage. Appeals from the Commission to the Industrial Appeal Court are limited to matters which are erroneous in law or in excess of jurisdiction. The Court has power to impose penalties for disobedience of orders made by the Commission.

The Western Australian Coal Industry Tribunal has power to determine any industrial matter in the coal-mining industry. It consists of a chairman and four other members (two representatives each of employers and employees). Boards of Reference may be appointed by the Tribunal and from 1st February, 1964, decisions of the Tribunal may be reviewed by the Industrial Commission in Court Session.

(f) *Tasmania*.—The authority consists of Wages Boards for separate industries, comprising a chairman (who is common to all Wages Boards), appointed by the Governor, and equal numbers of representatives of employers and employees, appointed by the Minister administering the Act. The system was instituted in 1910.

4. **New Legislation and Special Reports.**—Information concerning the main provisions of various industrial Acts in force throughout Australia was given in earlier Labour Reports, and brief reviews are furnished, in each issue, of the more important aspects of new industrial legislation having special application to the terms of awards or determinations. The year 1964 is covered in this issue.

(i) *Commonwealth.*—(a) An amendment to the *Conciliation and Arbitration Act 1904–1961*, assented to on 20th November, 1964, increased from three to four the number of Judges, other than the Chief Judge, in the Commonwealth Industrial Court.

The amending Act also provides that if a Judge of the Court accepts appointment to a judicial office in any part of Her Majesty's dominions outside the Commonwealth or within its Territories, the acceptance of such an appointment will not affect his office as a Judge of the Industrial Court.

(b) The *Commonwealth Employees' Compensation Act 1930–1962* was amended by the *Commonwealth Employees' Compensation Act 1964* which came into operation on 20th November. A summary of its provisions is given in the Workers Compensation Legislation section of this Labour Report.

(c) The *National Service Act 1964*, assented to on 24th November, 1964, includes sections dealing with employer and employee relationships arising from the re-introduction of national service training.

Employers who prevent an employee from registering or from rendering service under the Act will be liable to a penalty of £100. Employers are not to penalize or prejudice an employee, because of his liability to render service under this Act, by reducing his salary or wages, by dismissal, or in any other way.

The Act also provides that upon service of a notice for attendance at the place specified therein a person will be covered by the provisions of the *Commonwealth Employees' Compensation Act 1930–1964*.

(d) Amendments to the Commonwealth Metal Trades Award in October, 1964, provided for a shorter term of apprenticeship in the sheetmetal, boiler-making and blacksmithing trades for apprentices who have the necessary educational standard and vocational aptitude. These amendments had been agreed to by unions and employer organizations and had extended the arrangements which already applied to the following trades: fitting, turning, pattern making, machining, electrical fitting, electrical mechanics, motor mechanics, panel beating, welding, etc.

The Commonwealth Government has extended its scheme for encouraging apprentices in country areas to cover the sheetmetal, boiler-making and blacksmithing trades. Under this scheme financial incentives are available to country employers who are prepared to employ apprentices in excess of their normal intake, and living allowances are payable to country apprentices who are obliged to live away from home through taking up their apprenticeship. This scheme is already operative in the engineering, electrical, building, auto electrical and panel beating trades.

(ii) *New South Wales.*—(a) The Industrial Arbitration (Amendment) Act, 1964 which came into operation on 16th October, 1964, gives special Commissioners power to take evidence on oath, and varies the tenure of office of members of Conciliation Committees.

In relation to compulsory conferences, the Conciliation Commissioner or Committee is empowered to investigate the merits of the question, dispute or difficulty irrespective of whether or not the employees concerned are on strike.

A new sub-section added to Section 25 provides that no award shall be made unless the causes of, and the circumstances pertaining to the question, dispute or difficulty have been investigated by the Conciliation Commissioner or Committee concerned and the Conciliation Commissioner or Committee is satisfied that all reasonable steps have been taken to effect an amicable settlement of such question, dispute or difficulty.

The Act permits the recovery by an employee of all moneys payable under an award or industrial agreement.

The Act abolishes quarterly adjustments of the basic wage and fixes the State basic wage at the rate determined by the Commonwealth Conciliation and Arbitration Commission. This section of the amending legislation became operative from the commencement of the first complete pay-period on or after 19th June, 1964.

This amending Act also enables Industrial Tribunals to insert in awards or industrial agreements provision for the giving of notice of termination of employment to employees made redundant by the introduction of mechanization or other technological changes. Notice of not less than three months must be given, and the period of notice is deemed to be service with the employer for the purpose of calculating long service leave and annual holidays. Notice of such termination is to be given to the Industrial Registrar, the Director of the Vocational Guidance Bureau and the Director of Technical Education.

The Act amends the provisions of Part X of the original Act with regard to proceedings in respect of illegal strikes. Costs may now not be awarded in any proceedings under this part of the Act. Applications for leave to commence proceedings for a penalty under Section 100 of the Act must be lodged with the Registrar not later than 14 days after the cessation of the strike to which the application refers. Certain defences to proceedings are provided. No proceedings for an order shall be commenced except by leave of the Commission which must be satisfied that certain statutory provisions have been complied with.

(b) The Annual Holidays (Amendment) Act, 1964 which became operative on 29th September, 1964, adopts the principles applicable to the determination of "ordinary pay" contained in the Long Service Leave Act, 1955-1963, so as to ensure that a worker shall be paid for annual leave at his ordinary rate of pay. In computing holiday pay, bonuses, commissions, etc., are taken into consideration. Ordinary pay does not include amounts payable in respect of shift work, overtime, or other penalty rates.

The Act provides that a worker shall receive one month's instead of seven days' notice before proceeding on annual leave.

The cash value of board and lodging provided for a worker where such value is not fixed by, or under, the terms of the employment has been increased from 15s. (\$1.50) to 30s. (\$3.00) a week for board and from 5s. (\$0.50) to 10s. (\$1.00) for lodging.

(c) The Bread Industry (Amendment) Act, 1964, which was assented to on 16th December, 1964, enables the hours for the making or baking of bread, as prescribed by the Bread Industry Act to be varied in such manner as will permit the making or baking to be commenced at earlier times as specified or as may be authorized by variation.

The amending Act permits certain deliveries of bread to be made on days which are fixed as holidays by Statute but are not fixed as holidays by the appropriate award.

(d) The Factories, Shops and Industries (Amendment) Act, 1964 alters from 6 p.m. to 8.45 p.m. the latest time that may be fixed by an industrial award for the cessation of ordinary hours of work on Thursdays by employees in ladies' hairdressing shops.

The Act provides that the closing times of hairdressers' shops on week days shall be the times so fixed in respect of the employees in the shops. The Act defines a ladies' hairdressing shop as a hairdresser's shop in which hairdressing work is done for females only.

(iii) *Victoria.*—(a) The *Labour and Industry (Long Service Leave) Act 1964*, assented to on 15th December, 1964, provides long service leave on the basis of thirteen weeks for fifteen years' service (see also § 8, Long Service Leave).

(b) The *Public Service (Amendment) Act 1964*, passed in May, 1964, removes the previous limit of three weeks annual leave, and gives the Public Service Board power to grant employees annual leave in accordance with Public Service Regulations. The Public Service (Public Service Board) Regulations were amended on 9th June, 1964, effective on and from 11th June, and gave employees an entitlement to three weeks' leave. Under the amending Act public servants are entitled to four and a half months' long service leave after fifteen years' service (instead of six months after twenty years' service).

(iv) *Queensland.*—(a) "*The Industrial Conciliation and Arbitration Acts Amendment Act of 1964*" (No. 67 of 1964), assented to on 23rd December, 1964, amended "*The Industrial Conciliation and Arbitration Acts 1961 to 1963*".

The long service leave provisions of the Act were amended to reduce the qualifying period for thirteen weeks' leave from twenty to fifteen years, with pro-rata leave for employees who complete ten years' service. For further details of the long service leave provisions see also § 8, Long Service Leave.

The amending legislation provides that a Commissioner, in dealing with proceedings for any award currently before him, must refer the matter of such proceedings to a Full Bench of the Commission if he is of the opinion that a decision on the proceedings will affect any award other than the one before him. The Commissioner cannot be a member of the Full Bench which hears and determines the matter of such reference.

A new section governing the fixation of trading hours for shops, etc., gives the Full Bench of the Commission jurisdiction in these matters.

(b) In January, 1964, a Committee was appointed by the Minister for Labour and Industry to investigate the desirability of introducing a new Apprentices and Minors Act which would conform with present day conditions. On 26th May, 1964, the Apprenticeship Inquiry Committee presented a report containing its findings and recommendations.

The Committee's recommendations are incorporated in "*The Apprenticeship Act of 1964*". This Act, assented to on 21st December, 1964, consolidates and amends the law relating to the terms and conditions governing apprenticeship.

(v) *South Australia.*—The *Public Service Arbitration Act Amendment Act, 1964*, was assented to on 22nd October, 1964, enabling officers employed by the South Australian Government or any State instrumentality, to whom the Public Service Act does not apply, to be brought by proclamation within the operation of the Public Service Arbitration Act. Several amendments of an administrative nature were also made to the principal Act.

The following should be noted in connection with material concerning South Australian industrial legislation which appeared in Labour Report No. 50, 1962 and 1963.

In the last paragraph on page 55 of that Labour Report it was stated:—“Determinations of a board did not apply to a son or daughter of an employer under the earlier legislation but this exemption was now abolished.” Though this particular section of the Act was struck out by the amending legislation, the law remains the same since this exemption is included in the definition of “employee” in section 5 (i) of the Industrial Code.

Secondly, in the second paragraph on page 56 of Labour Report No. 50, it was stated that “foundry and welding operations were brought within the regulations governing factories in which dust is generated”. In fact the amending legislation authorises the making of regulations covering safety and ventilation in foundries, and in factories wherein any welding operations are carried on. These provisions have no particular relevance to section 318 dealing with the prevention of dust inhalation in factories.

(vi) *Western Australia*.—(a) An amendment to the *Industrial Arbitration Act, 1912-1963* which became operative on the 1st February, 1964, provided for the new system of control outlined on page 52.

(b) The *Long Service Leave Act Amendment Act (No. 2), 1964*, assented to on 12th November, 1964, provides thirteen weeks long service leave after fifteen years' continuous service. (See also § 8, Long Service Leave.)

(vii) *Tasmania*.—(a) The *Wages Boards Act 1964* was assented to on 20th November, 1964. This Act provides for the recovery of unpaid amounts of wages, etc., arising from breaches of determinations, in proceedings commencing either within three months from the date of the decision of the Police Magistrate hearing the complaint, or, within nine months from the commission of the offence.

The amending Act also provides for the payment of expenses, etc., to persons summoned to attend compulsory wages board conferences.

(b) The *Apprentices Act 1964* amended the *Apprentices Act 1942* as amended and became effective on 26th November, 1964.

Under the terms of the amending Act, apprentices who fail to attend the prescribed classes or to undertake by correspondence the prescribed instruction become liable to a maximum penalty of five pounds.

The amending legislation also requires employers to allow apprentices to attend classes for an average of not more than eight hours per week (previously four) as directed by the Apprenticeship Commission.

(c) The *Long Service Leave Act 1964*, assented to on 17th December, 1964 amended the *Long Service Leave Act 1956* as amended. It provides for long service leave on the basis of thirteen weeks after fifteen years' continuous service (see also § 8, Long Service Leave).

(d) *Select Committee on Equal Pay*.—A Legislative Council select committee was appointed early in 1963 to investigate equal pay for the sexes. In its report in November, 1964, the Committee endorsed the principle of equal pay but recommended against its general implementation in Tasmania. The report states that the Tasmanian Government should not legislate for equal pay until similar determinations had been made by the Commonwealth Conciliation and Arbitration Commission and by wage-fixing authorities in other States. Where a tribunal or wages board in any way included provisions for equal pay in its determinations, etc., the elimination of differential wage rates based on sex should be spread over five years beginning from the January next following the determinations, etc.

(viii) *Territories*.—No industrial legislation affecting only the Northern Territory or the Australian Capital Territory was passed in 1964.

§ 2. *Incidence of Industrial Awards, Determinations and Agreements*.—

(i) *General*—In May, 1963, a survey was conducted to ascertain the approximate proportions of employees affected by awards, determinations, and registered industrial agreements under the jurisdiction of Commonwealth and State industrial authorities. The proportions of employees not so affected by awards etc., (including those affected by unregistered industrial agreements) were also obtained.

The survey related to the last pay-period in May, 1963, and covered employees in the six Australian States but excluded those in the Northern Territory and the Australian Capital Territory. Because of coverage difficulties, employees in rural industry and in private domestic service were excluded altogether from the survey.

Returns were collected from—(a) a stratified random sample of those private employers and local government authorities subject to pay-roll tax (i.e. those paying wages or salaries of more than £200 [\$400] a week); and (b) practically all Commonwealth and State government and semi-government authorities, and public hospitals.

The survey was representative of 2,044,000 male and 759,000 female employees constituting about 87 per cent. of all males and 82 per cent. of all females employed as wage or salary earners in the industries specified in the six States.

The term, "awards, etc." as used in the following tables denotes awards or determinations of, or agreements registered with, Commonwealth or State industrial authorities. Employees whose rates of pay and working conditions were not affected by awards, determinations or registered agreements and employees covered by formal, though unregistered, industrial agreements between employee organizations and employers are shown as "not affected by awards, etc."

(ii) *Incidence of Commonwealth and State Awards, etc.*—The following table shows, for Australia, the proportions of all employees represented in the survey who were affected by awards, etc., of Commonwealth and State industrial authorities and those not so affected.

PROPORTIONS OF EMPLOYEES AFFECTED BY COMMONWEALTH AND STATE AWARDS, ETC.: AUSTRALIA(a), MAY, 1963.

Commonwealth and State Awards, etc.(b)	Percentage of Males Affected.	Percentage of Females Affected.
	per cent.	per cent.
Commonwealth Awards, etc.	42.3	31.0
New South Wales State Awards, etc.	18.3	26.0
Victorian State Awards, etc.	8.0	15.1
Queensland State Awards, etc.	9.0	7.8
South Australian State Awards, etc.	2.8	5.3
Western Australian State Awards, etc.	5.1	4.1
Tasmanian State Awards, etc.	1.2	1.4
Total Affected by Awards, etc.	86.7	90.7
Not Affected by Awards, etc.	13.3	9.3
Total	100.0	100.0

(a) Excludes Northern Territory and the Australian Capital Territory.

(b) For definition of the term "awards, etc." see text above.

(iii) *Incidence of Awards, etc.—Main Industry Groups.*—The table below shows, for Australia, the incidence of awards, determinations and agreements of Commonwealth and State industrial authorities, etc., in the main industry groups.

INCIDENCE OF AWARDS, ETC., BY MAIN INDUSTRY GROUPS: AUSTRALIA^(a), MAY, 1963.

Industry Group.	Employees Represented in Estimates.	Percentage Affected by Common-Awards, etc. (b)	Percentage Affected by State Awards, etc. (b)	Percentage Not Affected by Awards, etc. (b)	Total.
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MALES.

	'000.	Per cent.	Per cent.	Per cent.	Per cent.
Founding, metals, vehicles, etc.	381	64.4	24.6	11.0	100.0
Other manufacturing ..	468	38.5	46.9	14.6	100.0
<i>Total Manufacturing</i> ..	849	50.1	36.9	13.0	100.0
Mining and quarrying ..	42	40.5	35.4	24.1	100.0
Building and construction ..	188	23.6	65.1	11.3	100.0
Transport and communication	293	69.3	24.9	5.8	100.0
Finance and property ..	85	30.8	33.1	36.1	100.0
Wholesale and retail trade ..	260	20.3	59.5	20.2	100.0
Public administration and community and business services	266	27.1	64.5	8.4	100.0
All other	61	38.9	47.0	14.1	100.0
Total	2,044	42.3	44.4	13.3	100.0

FEMALES.

	'000.	Per cent.	Per cent.	Per cent.	Per cent.
Founding, metals, vehicles, etc.	60	51.2	42.7	6.1	100.0
Other manufacturing ..	192	54.8	36.4	8.8	100.0
<i>Total Manufacturing</i> ..	252	53.9	37.9	8.2	100.0
Transport and communication	37	63.1	26.7	10.2	100.0
Finance and property ..	60	34.7	48.9	16.4	100.0
Wholesale and retail trade ..	155	7.4	85.4	7.2	100.0
Public administration and community and business services	195	10.4	79.8	9.8	100.0
All other	60	39.5	50.7	9.8	100.0
Total	759	31.0	59.7	9.3	100.0

(a) Excludes Northern Territory and the Australian Capital Territory.

(b) For definition of the term "awards, etc." see text above.

(iv) *Incidence of Awards, etc.—States.*—The incidence of awards, determinations and agreements of Commonwealth and State industrial authorities, etc., in each of the six States and Australia is shown in the following table.

INCIDENCE OF INDUSTRIAL AWARDS, ETC.: STATES, MAY, 1963.

State.	Employees Represented in Estimates.	Percentage Affected by Commonwealth Awards, etc. (b)	Percentage Affected by State Awards, etc. (b)	Percentage Not Affected by Awards, etc.(b)	Total.
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MALES.

	'000.	Per cent.	Per cent.	Per cent.	Per cent.
New South Wales	807	40.4	46.3	13.3	100.0
Victoria	588	57.3	27.9	14.8	100.0
Queensland	254	17.8	72.4	9.8	100.0
South Australia	194	55.7	29.0	15.3	100.0
Western Australia	136	13.3	76.5	10.2	100.0
Tasmania	65	47.4	37.5	15.1	100.0
Total(a)	2,044	42.3	44.4	13.3	100.0

FEMALES.

	'000.	Per cent.	Per cent.	Per cent.	Per cent.
New South Wales	310	27.2	63.9	8.9	100.0
Victoria	244	44.3	47.0	8.7	100.0
Queensland	80	18.8	74.0	7.2	100.0
South Australia	64	23.7	62.3	14.0	100.0
Western Australia	42	14.8	74.4	10.8	100.0
Tasmania	19	35.4	53.1	11.5	100.0
Total(a)	759	31.0	59.7	9.3	100.0

(a) Excludes Northern Territory and the Australian Capital Territory.

(b) For definition of the term "awards, etc." see text above.

§ 3. Rates of Wage and Hours of Work.

1. *General.*—The collection of data for minimum rates of wage in the various occupations in each State was first undertaken by this Bureau in 1913. Particulars were ascertained primarily from awards, determinations and industrial agreements under Commonwealth and State Acts and related to the minimum wage prescribed. In those cases where no award, determination or registered agreement was in force, the ruling union or predominant rate of wage was ascertained from employers and secretaries of trade unions. This applied mainly in the earlier years; in recent years all occupations included have been covered by awards, etc. In a few cases, occupations covered by unregistered agreements have been included, where such agreements are dominant in the industries to which they refer. From the particulars so obtained, indexes of "nominal" (i.e. minimum) weekly wage rates were calculated for a number of industry groups until the end of 1959. The index for each industry group was the unweighted average of wage rates for selected occupations within the group. These industry indexes were combined into an aggregate index by using industry weights as current in or about 1911.

Results were first published for 1913 in Labour Report No. 2, pages 28–43. Within a few years, the scope of these indexes was considerably extended (see Labour Report No. 5, pages 44–50). On the basis then adopted, weighted average minimum weekly and hourly wage rates and hours of work were published quarterly from September, 1917, to June, 1959, in the *Quarterly Summary of Australian Statistics*, and these were summarized annually in the Labour Report. Less detailed particulars of wage rates were also ascertained for each year back to 1891, and these were published in earlier issues of the Labour Report.

Early in 1960 these indexes were replaced by a new series constructed on the basis of data obtained from investigations which were commenced in 1954, as described in para. 2 below.

2. Indexes of Minimum Weekly and Hourly Wage Rates and Standard Hours of Work.—This section contains indexes (with base: year 1954 = 100) of minimum weekly and hourly rates of wage and standard hours of work for adult males and adult females for Australia and each State. In the indexes there are 15 industry groups for adult males and 8 industry groups for adult females. For relevant periods these indexes replace cognate indexes (base: year 1911 = 1,000 for males and April, 1914 = 1,000 for females) published in issues prior to No. 47, 1959.

The 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 agreements. This provided employee weights for each industry as well as a basis for the Survey of Award Occupations made in November, 1954. This second survey showed the number of employees in each occupation within selected awards, etc., in the various industries, thereby providing occupation weights.

The industry classification used in the current indexes, shown in the table on page 62, does not differ basically from the previous classification, the alterations being largely in the arrangement of groups. A comparison was given in Labour Report No. 47, page 23. The former Pastoral, Agricultural, etc., group is not included in the current indexes and the Domestic part of the group, "Amusement, Hotels, Personal Service, etc.", is excluded because of coverage difficulties.

The minimum wage rates and standard hours of work used in the new indexes are for representative occupations within each industry and have been derived entirely from representative awards, determinations and agreements. Wage rates and index numbers for adult males are available at the end of each quarter for the period March, 1939, to December, 1956, and at the end of each month from January, 1957. Particulars for adult females are compiled quarterly and are available from March, 1951. The index for adult males includes rates for 3,415 award designations. However, as some of these designations are operative within more than one industry, or in more than one State, the total number of individual award occupations is 2,313. For adult females the corresponding numbers are 1,100 and 515. By use of the industry and occupation weights derived from the surveys described above, these rates and hours were combined to give weighted averages for each industry group for each State and Australia. Weighted averages of the components of the total minimum wage rate, i.e. basic wage, margin and loading, were calculated separately for employees covered by Commonwealth awards, etc., and for those covered by State awards, etc. (See page 65.)

Because the indexes are designed to measure movements in prescribed minimum rates of "wages" as distinct from "salaries", those awards, etc., which relate solely or mainly to salary earners are excluded.

The particulars given in this chapter show variations in minimum weekly and hourly rates of wage and standard hours of work from year to year in each State and in various industry groups. The amounts should not be regarded as actual current averages but as indexes expressed in money and hour terms, indicative of trends. Neither the amounts nor the corresponding index numbers measure the relative level of wage rates or hours as between States. Tables showing particulars of wage rates and index numbers from 1939 (for adult males), and 1951 (for adult females) to December, 1964, will be found in Sections IV. and V. of the Appendix. Further particulars of wage rates and index numbers will be found in the statistical bulletin, *Minimum Wage Rates, March, 1939 to June, 1964*. Current figures are published in the monthly bulletin *Wage Rates and Earnings*.

In Sections VII. and VIII. of the Appendix, particulars of award wage rates and hours of work are given for a large number of the more important occupations in each industry group in Australia.

3. Weekly Wage Rates, Adult Males.—(i) *Industry Groups, States*. The following table shows the weighted average minimum weekly rates of wage payable to adult male workers, for a full week's work, at 31st December, 1964, together with corresponding index numbers, in each of the principal industry groups.

**WEEKLY RATES OF WAGE: ADULT MALES, INDUSTRY GROUPS,
31st DECEMBER, 1964.(a)**

Weighted Average Minimum Weekly Rates payable for a Full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements, and Index Numbers of Wage Rates.

Industry Group.	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGE.(b)							
(\$)							
Mining and Quarrying(c) ..	51.48	39.13	46.95	38.40	41.68	40.40	47.48
Manufacturing—							
Engineering, Metals, Vehicles, etc.	38.90	38.75	39.12	38.77	38.85	40.38	38.88
Textiles, Clothing and Footwear	38.22	37.77	38.18	36.73	38.05	37.21	37.89
Food, Drink and Tobacco	39.07	40.22	38.53	37.48	38.77	38.52	39.17
Sawmilling, Furniture, etc.	39.35	37.74	37.31	38.08	37.51	38.12	38.23
Paper, Printing, etc.	41.88	42.62	43.34	41.50	44.28	39.74	42.19
Other Manufacturing	39.29	38.65	37.63	38.47	37.77	38.95	38.78
All Manufacturing Groups	39.15	38.97	38.71	38.57	38.61	39.28	38.97
Building and Construction	40.53	42.20	37.66	39.28	38.49	40.09	40.14
Railway Services	39.57	36.48	39.61	37.52	37.08	38.88	38.46
Road and Air Transport	40.38	38.72	36.84	37.62	38.77	38.33	39.05
Shipping and Stevedoring(d)	38.99	39.05	38.62	38.81	38.36	38.63	38.85
Communication	45.02	44.68	44.44	44.10	44.60	43.76	44.69
Wholesale and Retail Trade	39.70	39.89	39.49	38.46	38.83	40.12	39.54
Public Authority (n.e.i.) and Community and Business Services	39.87	38.45	38.66	37.25	37.36	40.78	38.84
Amusement, Hotels, Personal Service, etc.	38.60	36.53	37.31	36.58	37.20	37.27	37.52
All Industry Groups(a)	40.23	39.46	39.21	38.67	38.82	39.66	39.62

For footnotes see next page.

WEEKLY RATES OF WAGE, ETC.(a)—continued.

Industry Group.	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
INDEX NUMBERS.							
(Base: Weighted Average Weekly Wage Rate, Australia, 1954 = 100.)							
Mining and Quarrying(c) ..	182.3	138.6	166.2	136.0	147.6	143.0	168.1
Manufacturing—							
Engineering, Metals, Vehicles, etc.	137.7	137.2	138.5	137.3	137.6	143.0	137.7
Textiles, Clothing and Footwear	135.3	133.7	135.2	130.1	134.7	131.7	134.2
Food, Drink and Tobacco	138.3	142.4	136.4	132.7	137.3	136.4	138.7
Sawmilling, Furniture, etc.	139.3	133.6	132.1	134.8	132.8	135.0	135.4
Paper, Printing, etc.	148.3	150.9	153.5	146.9	156.8	140.7	149.4
Other Manufacturing	139.1	136.9	133.3	136.2	133.7	137.9	137.3
All Manufacturing Groups	138.6	138.0	137.1	136.6	136.7	139.1	138.0
Building and Construction	143.5	149.4	133.3	139.1	136.3	142.0	142.1
Railway Services	140.1	129.2	140.2	132.9	131.3	137.6	136.2
Road and Air Transport	143.0	137.1	130.5	133.2	137.3	135.7	138.3
Shipping and Stevedoring(d)	138.1	138.3	136.7	137.4	135.8	136.8	137.6
Communication	159.4	158.2	157.4	156.2	157.9	154.9	158.2
Wholesale and Retail Trade	140.6	141.3	139.8	136.2	137.5	142.0	140.0
Public Authority (n.e.i.) and Community and Business Services	141.2	136.1	136.9	131.9	132.3	144.4	137.5
Amusement, Hotels, Personal Service, etc.	136.7	129.4	132.1	129.5	131.7	132.0	132.8
All Industry Groups(a)	142.5	139.7	138.8	136.9	137.5	140.4	140.3

(a) Excludes rural industry. (b) The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms, indicative of trends. (c) For mining, the average rates of wage are those prevailing at the principal mining centres in each State. They include lead bonuses, etc. (d) Average rates of wages are for occupations other than masters, officers and engineers in the Merchant Marine Service, and include value of keep, where supplied.

(ii) *Summary, States.*—The following table shows, for each State and Australia, the weighted average minimum weekly rates of wage payable to adult male workers for a full week's work at the dates specified. Index numbers with the weighted average for Australia for the year 1954 as base (= 100) are also shown.

WEEKLY WAGE RATES: ADULT MALES, ALL GROUPS.(a)

Weighted Average Minimum Weekly Rates payable for a Full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements, and Index Numbers of Wage Rates.

End of—	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGES.(b)							
(\$)							
December, 1939	10.01	9.71	9.94	9.41	10.05	9.22	9.83
" 1945	12.25	12.11	11.81	11.60	12.03	11.56	12.06
" 1950	20.62	20.18	19.52	19.79	20.06	19.80	20.20
" 1954	29.32	28.48	27.56	28.16	28.72	28.77	28.68
" 1955	30.52	29.56	28.35	28.50	30.01	29.36	29.70
" 1956	32.28	30.96	30.28	29.63	31.28	31.39	31.30
" 1957	32.45	31.60	30.43	30.69	32.16	31.85	31.74
" 1958	32.92	31.97	31.78	31.24	32.40	32.36	32.29
" 1959	35.02	34.42	33.43	33.99	34.08	34.71	34.47
" 1960	36.28	34.99	35.07	34.22	35.81	35.15	35.50
" 1961	37.34	36.22	35.98	35.46	36.38	36.27	36.38
" 1962	37.37	36.37	35.97	35.65	36.57	36.48	36.66
" 1963	38.28	37.20	37.00	36.40	37.50	37.29	37.55
March, 1964	38.41	37.28	37.01	36.43	37.54	37.51	37.63
June, 1964	40.00	38.88	37.45	38.48	38.08	39.45	39.06
September, 1964	40.08	39.39	36.69	38.53	38.50	39.55	39.43
December, 1964	40.23	39.46	39.21	38.67	38.82	39.66	39.62

For footnotes see next page.

WEEKLY WAGE RATES, ETC.(a)—continued.

End of—	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
INDEX NUMBERS.							
(Base: Weighted Average Weekly Wage Rate, Australia, 1954 = 100.)							
December, 1939	35.4	34.4	35.2	33.3	35.6	32.6	34.8
" 1945	43.4	42.9	41.8	41.1	42.6	40.9	42.7
" 1950	73.0	71.4	69.1	70.1	71.0	70.1	71.5
" 1954	103.8	100.9	97.6	99.7	101.7	101.9	101.6
" 1955	108.1	104.7	100.4	100.9	106.3	104.0	105.2
" 1956	114.3	109.6	107.2	104.9	110.8	111.2	110.8
" 1957	114.9	111.9	107.8	108.7	113.9	112.8	112.4
" 1958	116.6	113.2	112.5	110.6	114.7	114.6	114.3
" 1959	124.0	121.9	118.4	120.4	120.7	122.9	122.0
" 1960	128.5	123.9	124.2	121.2	126.8	124.5	125.7
" 1961	132.2	128.2	127.4	125.6	128.8	128.4	129.5
" 1962	132.3	128.8	127.4	126.2	129.5	129.2	129.8
" 1963	135.5	131.7	131.0	128.9	132.8	132.0	133.0
March, 1964	136.0	132.0	131.0	129.0	132.9	132.8	133.3
June, 1964	141.6	137.7	132.6	136.3	134.8	139.7	138.3
September, 1964	141.9	139.5	137.0	136.4	136.3	140.0	139.6
December, 1964	142.5	139.7	138.8	136.9	137.5	140.4	140.3

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

(iii) *Industry Groups, Australia.*—The following table shows for Australia the weighted average minimum weekly rates of wage for each industry group, for all manufacturing groups and for all groups combined, except rural. Corresponding index numbers are also given with the weighted average for all groups for the year 1954 as base (= 100).

WEEKLY WAGE RATES: ADULT MALES, INDUSTRY GROUPS,(a) AUSTRALIA.

Weighted Average Minimum Weekly Rates payable for a Full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements, and Index Numbers of Wage Rates.

Industry Group.	End of December—						
	1939.	1945.	1950.	1955.	1960.	1963.	1964.

RATES OF WAGE.(b)
(\$)

Mining and Quarrying(c)	10.99	13.87	25.96	36.68	41.47	43.94	47.48
Manufacturing—							
Engineering, Metals, Vehicles, etc.	9.98	12.22	20.17	29.48	35.02	36.95	38.88
Textiles, Clothing and Footwear	9.31	11.58	19.74	28.50	34.04	35.91	37.89
Food, Drink and Tobacco	9.91	11.99	20.14	29.58	35.22	37.18	39.17
Sawmilling, Furniture, etc.	9.75	11.79	19.60	28.88	34.62	36.40	38.23
Paper, Printing, etc.	10.46	12.77	21.42	31.25	37.92	40.08	42.19
Other Manufacturing	9.64	11.86	19.76	29.13	34.72	36.73	38.78
All Manufacturing Groups	9.87	12.07	20.08	29.41	35.05	37.00	38.97
Building and Construction	9.92	11.97	19.86	29.55	35.75	38.02	40.14
Railway Services	9.45	11.78	19.58	29.09	34.65	36.73	38.46
Road and Air Transport	9.91	12.16	19.79	29.42	35.25	37.13	39.05
Shipping and Stevedoring(d)	9.10	11.76	19.66	27.69	34.46	36.86	38.85
Communication	9.78	12.38	21.33	31.65	38.49	41.12	44.69
Wholesale and Retail Trade	9.85	11.94	20.08	29.78	35.71	37.67	39.54
Public Authority (n.e.i.) and Community and Business Services	9.19	11.38	19.21	28.98	34.81	36.73	38.84
Amusement, Hotels, Personal Service, etc.	9.41	11.52	19.23	28.36	33.73	35.60	37.52
All Industry Groups(a)	9.83	12.06	20.20	29.70	35.50	37.55	39.62

For footnotes see next page.

WEEKLY WAGE RATES, ETC.(a)—continued.

Industry Group.	End of December—						
	1939.	1945.	1950.	1955.	1960.	1963.	1964.

INDEX NUMBERS.

(Base: Weighted Average Weekly Wage Rate, Australia, 1954 = 100.)

Mining and Quarrying(c) ..	38.9	49.1	91.9	129.9	146.8	155.6	168.1
Manufacturing—							
Engineering, Metals, Vehicles, etc.	35.3	43.3	71.4	104.4	124.0	130.8	137.7
Textiles, Clothing and Footwear	33.0	41.0	69.9	100.9	120.5	127.1	134.2
Food, Drink and Tobacco	35.1	42.5	71.3	104.7	124.7	131.6	138.7
Sawmilling, Furniture, etc.	34.5	41.8	69.4	102.3	122.6	128.9	135.4
Paper, Printing, etc. ..	37.0	45.2	75.9	110.7	134.3	141.9	149.4
Other Manufacturing	34.1	42.0	70.0	103.2	122.9	130.1	137.3
All Manufacturing Groups	34.9	42.7	71.1	104.1	124.1	131.0	138.0
Building and Construction	35.1	42.4	70.3	104.6	126.6	134.6	142.1
Railway Services	33.5	41.7	69.3	103.0	122.7	130.1	136.2
Road and Air Transport	35.1	43.0	70.1	104.2	124.8	131.5	138.3
Shipping and Stevedoring(d) ..	32.2	41.6	69.6	98.1	122.0	130.5	137.6
Communication	34.6	43.8	75.5	112.1	136.3	145.6	158.2
Wholesale and Retail Trade	34.9	42.3	71.1	105.4	126.4	133.4	140.0
Public Authority (n.c.i.) and Community and Business Services	32.5	40.3	68.0	102.6	123.2	130.1	137.5
Amusement, Hotels, Personal Service, etc. ..	33.3	40.8	68.1	100.4	119.4	126.1	132.8
All Industry Groups(a) ..	34.8	42.7	71.5	105.2	125.7	133.0	140.3

(a) Excludes rural industry. (b) See note (b) to previous table. (c) For mining, the average rates of wage are those prevailing at the principal mining centres in each State. They include lead bonuses, etc. (d) Average rates of wage are for occupations other than masters, officers and engineers in the Merchant Marine Service, and include the value of keep, where supplied.

(iv) *Components of Total Wage Rate.*—A dissection of weighted average minimum weekly wage rates for adult males into the three components of the total minimum wage, i.e. basic wage, margin and loading, is given in the following tables, separate particulars being shown for employees in the main industry groups, and for employees covered by awards, etc., within Commonwealth and State jurisdictions. For the purposes of the index the Commonwealth jurisdiction embraces awards of, or agreements registered with, the Commonwealth Conciliation and Arbitration Commission, and determinations of the Commonwealth Public Service Arbitrator. State jurisdictions embrace awards or determinations of, or agreements registered with, State industrial tribunals, together with certain unregistered agreements, where these are dominant in the particular industries to which they refer.

The basic wage rates shown in this section are weighted averages of the rates prescribed in awards, etc., for the occupations included in the index for each State. For industries other than mining, metropolitan basic wage rates have generally been used. However, there are a number of occupations for which basic wage rates other than the metropolitan rate are prescribed. Also, in some States at various times, State Government employees under Commonwealth awards have been paid State basic wage rates, and the basic wage rates of some employees have been subject to automatic quarterly adjustments while those of other employees within the same jurisdiction have remained unchanged. In all such cases the basic wage rate actually paid is used in tables below. For these and other reasons, the weighted average basic wage rates differ, in the majority of cases, from the metropolitan basic wage rates shown in other sections of this chapter.

Margins are minimum amounts, in addition to the basic wage, awarded to particular classifications of employees for features attaching to their work, such as skill, experience, arduousness and other like factors.

Loadings are minimum amounts, in addition to the basic wage and margin (if any), awarded for various kinds of disabilities associated with the performance of work, or to meet particular circumstances. They include payments such as industry loadings and other general loadings prescribed in awards, etc., for the occupations included in the index. Loadings, etc., that are not applicable to all workers in a specified award occupation (for example, those payable because of length of service, working in wet, dirty or confined places, excess fares incurred due to location of building site) are not included in the minimum wage rate index.

For a more detailed description of this dissection into components of weekly wage rates and for tables for each State and Australia, according to jurisdiction, extending back to 1939, see the statistical bulletin, *Minimum Wage Rates, March, 1939 to June, 1965*. Current figures are published in the monthly bulletin *Wage Rates and Earnings*.

(a) *Australia, Industry Groups.*—The table below shows the components of the total minimum weekly wage rate for the principal industry groups as at the end of March, June, September and December, 1964. A table showing components of the total wage rate in industry groups for Australia at the end of December each year, 1945 to 1964, is included in section IV. of the Appendix.

WEEKLY WAGE RATES: ADULT MALES, COMPONENTS OF TOTAL WAGE RATE,(a) INDUSTRY GROUPS,(b) AUSTRALIA.

Weighted Average Minimum Weekly Rates payable for a Full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements.

(\$)

Industry Group.	31st March, 1964.				30th June, 1964.			
	Basic Wage.	Margin.	Load-ing.	Total Wage.	Basic Wage.	Margin.	Load-ing.	Total Wage.
Mining and Quarrying(c)	29.36	8.78	6.14	44.28	30.85	8.91	6.25	46.01
Manufacturing—								
Engineering, Metals, Vehicles, etc.	29.18	7.58	0.24	37.00	30.78	7.59	0.25	38.62
Textiles, Clothing and Footwear	28.96	6.83	0.10	35.94	30.72	6.89	0.10	37.71
Food, Drink and Tobacco	29.22	7.70	0.32	37.24	30.47	7.78	0.32	38.57
Sawmilling, Furniture, etc.	29.22	7.13	0.05	36.40	30.47	7.14	0.05	37.66
Paper, Printing, etc.	29.36	10.76	0.18	40.30	30.87	10.87	0.18	41.92
Other Manufacturing	29.32	7.08	0.42	36.82	30.69	7.11	0.42	38.22
All Manufacturing Groups	29.21	7.59	0.26	37.06	30.69	7.63	0.26	38.58
Building and Construction	29.36	7.52	1.32	38.20	30.41	7.53	1.34	39.28
Railway Services	29.29	7.17	0.27	36.73	30.36	7.17	0.31	37.84
Road and Air Transport	29.33	7.92	0.03	37.28	30.61	7.92	0.02	38.55
Shipping and Stevedoring(d)	28.89	7.96	0.03	36.88	30.73	7.97	0.03	38.73
Communication	28.79	11.78	0.55	41.12	30.79	11.78	0.58	43.15
Wholesale and Retail Trade	29.31	8.05	0.38	37.74	30.56	8.09	0.38	39.03
Public Authority (n.e.i.) and Community and Business Services	29.26	7.32	0.30	36.88	30.52	7.33	0.30	38.15
Amusement, Hotels, Personal Services, etc.	29.16	6.45	0.03	35.64	30.43	6.46	0.03	36.92
All Industry Groups(b)	29.23	7.80	0.60	37.63	30.62	7.82	0.62	39.06

For footnotes see next page.

WEEKLY WAGE RATES: ADULT MALES, COMPONENTS OF TOTAL WAGE RATE,^(a) INDUSTRY GROUPS,^(a) AUSTRALIA—*continued.*
(\$)

Industry Group.	30th September, 1964.				31st December, 1964.			
	Basic Wage.	Margin.	Load-ing.	Total Wage.	Basic Wage.	Margin.	Load-ing.	Total Wage.
Mining and Quarrying(c)	31.18	8.91	6.56	46.65	31.27	8.91	7.30	47.48
Manufacturing—								
Engineering, Metals, Vehicles, etc.	30.94	7.61	0.25	38.80	30.98	7.63	0.27	38.88
Textiles, Clothing and Footwear	30.88	6.89	0.11	37.88	30.89	6.89	0.14	37.89
Food, Drink and Tobacco	30.88	7.84	0.32	39.04	30.98	7.87	0.32	39.17
Sawmilling, Furniture, etc.	30.86	7.15	0.05	38.06	31.00	7.16	0.07	38.23
Paper, Printing, etc.	31.04	10.90	0.18	42.12	31.11	10.90	0.18	42.19
Other Manufacturing	30.97	7.24	0.44	38.65	31.03	7.28	0.47	38.78
All Manufacturing Groups	30.92	7.68	0.27	38.87	30.99	7.70	0.28	38.97
Building and Construction	30.88	7.54	1.48	39.90	31.00	7.56	1.58	40.14
Railway Services	30.75	7.18	0.31	38.24	30.94	7.21	0.31	38.46
Road and Air Transport	30.91	7.96	0.02	38.89	31.00	8.03	0.02	39.05
Shipping and Stevedoring(d)	30.80	7.97	0.03	38.80	30.83	7.98	0.04	38.85
Communication	30.79	12.69	0.58	44.06	30.79	13.32	0.58	44.69
Wholesale and Retail Trade	30.89	8.13	0.38	39.40	30.98	8.18	0.38	39.54
Public Authority (n.e.i.) and Community and Business Services	30.83	7.38	0.30	38.51	30.95	7.59	0.30	38.84
Amusement, Hotels, Personal Services, etc.	30.89	6.47	0.03	37.39	30.96	6.52	0.04	37.52
All Industry Groups(b)	30.91	7.88	0.64	39.43	30.99	7.94	0.69	39.62

(a) The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms, indicative of trends. For definitions of basic wage, margin and loading see text.
 (b) Excludes rural industry. (c) For mining, the average rates of wage are those prevailing at the principal mining centres in each State. They include lead bonuses, etc. (d) Average rates of wage are for occupations other than masters, officers and engineers in the Merchant Marine Service, and include the value of keep, where supplied.

(b) *States.*—The following table shows the components of the total minimum weekly wage rate according to jurisdiction for each State and Australia as at 31st December, 1964. Long term tables for each State and Australia extending back to December, 1939, appear in Section IV. of the Appendix.

WEEKLY WAGE RATES: ADULT MALES, COMPONENTS OF TOTAL WAGE RATE.^(a)

Weighted Averages of Minimum Weekly Rates Payable for a Full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements.

31st DECEMBER, 1964.

(\$)

Jurisdiction and Components of Total Wage Rate.(b)	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
<i>Commonwealth Awards, etc.—</i>							
Basic Wage	31.36	30.73	29.94	30.35	30.82	31.21	30.92
Margin	8.23	7.65	9.19	8.35	10.39	7.37	8.08
Loading	0.57	0.57	0.59	0.30	0.34	0.56	0.53
<i>Total Wage Rate</i>	<i>40.16</i>	<i>38.95</i>	<i>39.72</i>	<i>39.00</i>	<i>41.55</i>	<i>39.14</i>	<i>39.53</i>
<i>State Awards, etc.—</i>							
Basic Wage	31.50	30.75	30.69	30.31	31.12	31.39	31.07
Margin	7.70	8.99	7.84	6.42	6.84	7.94	7.78
Loading	1.11	0.86	0.55	1.19	0.51	1.12	0.87
<i>Total Wage Rate</i>	<i>40.31</i>	<i>40.60</i>	<i>39.08</i>	<i>37.92</i>	<i>38.47</i>	<i>40.45</i>	<i>39.72</i>
<i>All Awards, etc.—</i>							
Basic Wage	31.42	30.74	30.54	30.34	31.08	31.28	30.99
Margin	7.98	8.06	8.12	7.76	7.25	7.60	7.94
Loading	0.83	0.66	0.55	0.57	0.49	0.78	0.69
<i>Total Wage Rate</i>	<i>40.23</i>	<i>39.46</i>	<i>39.21</i>	<i>38.67</i>	<i>38.82</i>	<i>39.66</i>	<i>39.62</i>

(a) Excludes rural industry. The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms, indicative of trends. (b) For definitions of basic wage, margin and loading, see text.

(c) *Australia, 1939 to 1964.*—The components of the total minimum weekly wage rate for Australia, according to jurisdiction, for the years 1939 to 1964, are shown in the following table.

WEEKLY WAGE RATES: ADULT MALES, COMPONENTS OF TOTAL WAGE RATE(a), AUSTRALIA.

Weighted Averages of Minimum Weekly Rates payable for a Full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements.

(£)

Jurisdiction and Components of Total Wage Rate.(b)	End of December—					
	1939.	1945.	1950.	1960.	1963.	1964.
<i>Commonwealth Awards, etc.—</i>						
Basic Wage	7.94	9.72	16.22	27.82	28.98	30.92
Margin	1.72	1.93	3.57	7.01	7.89	8.08
Loading	0.04	0.42	0.39	0.31	0.46	0.53
<i>Total Wage Rate</i>	<i>9.70</i>	<i>12.07</i>	<i>20.18</i>	<i>35.14</i>	<i>37.33</i>	<i>39.53</i>
<i>State Awards, etc.—</i>						
Basic Wage	8.19	9.81	16.17	28.52	29.50	31.07
Margin	1.73	2.00	3.52	6.84	7.59	7.78
Loading	0.06	0.24	0.54	0.52	0.68	0.87
<i>Total Wage Rate</i>	<i>9.98</i>	<i>12.05</i>	<i>20.23</i>	<i>35.88</i>	<i>37.77</i>	<i>39.72</i>
<i>All Awards, etc.—</i>						
Basic Wage	8.07	9.77	16.19	28.16	29.23	30.99
Margin	1.72	1.97	3.55	6.92	7.75	7.94
Loading	0.04	0.32	0.46	0.42	0.57	0.69
<i>Total Wage Rate</i>	<i>9.83</i>	<i>12.06</i>	<i>20.20</i>	<i>35.50</i>	<i>37.55</i>	<i>39.62</i>

For footnotes see table above.

4. *Weekly Wage Rates, Adult Females.*—(i) *Industry Groups, States.* The following table shows the weighted average minimum weekly rates of wage payable to adult female workers, for a full week's work, at 31st December, 1964, in each of the principal industry groups.

**WEEKLY RATES OF WAGE: ADULT FEMALES, INDUSTRY GROUPS,(a)
31st DECEMBER, 1964.**

Weighted Average Minimum Weekly Rates payable for a Full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements, and Index Numbers of Wage Rates.

Industry Group.	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGE(b),(£)							
<i>Manufacturing—</i>							
Engineering, Metals, Vehicles, etc.	28.92	27.51	27.77	26.59	27.06	26.83	28.08
Textiles, Clothing and Footwear	27.05	26.63	27.00	26.92	27.14	26.03	26.83
Food, Drink and Tobacco	28.90	26.91	27.48	26.51	25.82	26.08	27.58
Other Manufacturing	28.45	27.23	28.42	26.62	26.79	26.34	27.84
All Manufacturing Groups	27.99	26.90	27.50	26.68	26.75	26.17	27.37
Transport and Communication	30.13	29.02	29.52	28.85	29.42	28.98	29.54
Wholesale and Retail Trade	30.94	29.18	28.92	28.02	27.82	27.24	29.58
Public Authority (n.e.l.) and Community and Business Services	31.51	29.01	28.22	27.95	27.15	30.04	29.74
Amusement, Hotels, Personal Service, etc.	28.12	26.69	26.92	25.72	28.82	26.76	27.48
All Industry Groups(a)	29.22	27.66	28.15	27.27	27.70	27.02	28.32

(Base: *Weighted Average Weekly Wage Rate, Australia, 1954 = 100*)

INDEX NUMBERS.							
<i>Manufacturing—</i>							
Engineering, Metals, Vehicles, etc.	145.3	138.2	139.5	133.6	135.9	134.8	141.1
Textiles, Clothing and Footwear	135.9	133.8	135.6	135.2	136.3	130.8	134.8
Food, Drink and Tobacco	145.2	135.2	138.1	133.2	129.7	131.0	138.5
Other Manufacturing	142.9	136.8	142.8	133.7	134.6	132.3	139.9
All Manufacturing Groups	140.6	135.1	138.1	134.0	134.4	131.4	137.5
Transport and Communication	151.4	145.8	148.3	144.9	147.8	145.5	148.4
Wholesale and Retail Trade	155.4	146.5	145.3	140.7	139.7	136.8	148.6
Public Authority (n.e.l.) and Community and Business Services	158.3	145.7	141.7	140.4	136.4	150.9	149.4
Amusement, Hotels, Personal Service, etc.	141.3	134.1	135.2	129.2	144.8	134.4	138.0
All Industry Groups(a)	146.8	138.9	141.4	137.0	139.1	135.7	142.3

(a) Excludes rural industry, mining and quarrying, and building and construction. (b) The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms, indicative of trends.

(ii) *Summary, States.*—The following table shows the weighted average minimum weekly rates of wage payable to adult female workers for a full week's work in each State and Australia at the dates specified. Index numbers with the weighted average for Australia for the year 1954 as base (= 100) are also shown. This series has not been compiled for the years prior to 1951.

WEEKLY WAGE RATES : ADULT FEMALES, ALL GROUPS.(a)

Weighted Average Minimum Weekly Rates payable for a full Week's Work (excluding overtime), as prescribed in Awards, Determinations and Agreements, and Index Numbers of Wage Rates.

End of—	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGE.(b)							
(\$)							
December, 1951	17.23	17.22	16.12	17.02	16.25	16.56	17.03
.. .. 1955	20.97	21.04	19.42	20.18	19.78	20.00	20.69
.. .. 1959	24.92	24.12	22.97	23.92	22.41	23.42	24.22
.. .. 1960	26.12	24.66	23.93	24.29	25.12	23.88	25.17
.. .. 1961	26.92	25.66	25.55	25.20	25.66	24.82	26.12
.. .. 1962	26.91	25.67	25.58	25.23	26.22	24.83	26.15
.. .. 1963	27.61	26.08	26.17	25.52	26.65	25.21	26.69
March, 1964	28.01	26.08	26.17	25.52	26.66	25.32	26.87
June, 1964	29.20	27.22	26.67	27.18	27.22	27.02	27.98
September, 1964	29.20	27.64	27.82	27.19	27.47	27.02	28.26
December, 1964	29.22	27.66	28.15	27.27	27.70	27.02	28.32

INDEX NUMBERS.

(Base: Weighted Average Weekly Wage Rate, Australia, 1954 = 100.)

December, 1951	86.6	86.5	81.0	85.5	81.6	83.2	85.6
.. .. 1955	105.3	105.7	97.6	101.3	99.3	100.5	103.9
.. .. 1959	125.2	121.2	115.4	120.1	112.6	117.7	121.6
.. .. 1960	131.2	123.9	120.2	122.0	126.2	120.0	126.4
.. .. 1961	135.2	128.9	128.3	126.6	128.9	124.7	131.2
.. .. 1962	135.2	128.9	128.5	126.7	131.7	124.7	131.4
.. .. 1963	138.7	131.0	131.4	128.2	133.9	126.6	134.1
March, 1964	140.7	131.0	131.4	128.2	133.9	127.2	135.0
June, 1964	146.7	136.8	134.0	136.5	136.8	135.7	140.6
September, 1964	146.7	138.8	139.7	136.6	138.0	135.7	141.9
December, 1964	146.8	138.9	141.4	137.0	139.1	135.7	142.3

(a) Excludes rural industry, mining and quarrying, and building and construction. (b) The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms indicative of trends.

(iii) *Industry Groups, Australia.*—The following table shows for Australia the weighted average minimum weekly rates of wage for each of the industry groups in which the number of females is significant, for all manufacturing groups and for all groups combined, at the dates specified. Corresponding index numbers are also given with the weighted average for all groups for the year 1954 as base (= 100).

**WEEKLY WAGE RATES : ADULT FEMALES, INDUSTRY GROUPS,(a)
AUSTRALIA.**

Weighted Average Minimum Weekly Rates payable for a Full Week's Work (excluding overtime) as prescribed in Awards, Determinations and Agreements, and Index Numbers of Wage Rates.

Industry Group.	End of December—					
	1951.	1955.	1960.	1962.	1963.	1964.

**RATES OF WAGE.(b)
(\$)**

Manufacturing—						
Engineering, Metals, Vehicles, etc. ..	17.09	20.65	24.98	25.83	26.16	28.08
Textiles, Clothing and Footwear ..	17.12	20.09	24.07	24.95	25.29	26.83
Food, Drink and Tobacco ..	16.58	20.68	24.63	25.59	25.92	27.58
Other Manufacturing ..	16.88	20.36	24.80	25.77	26.10	27.84
All Manufacturing Groups ..	16.99	20.33	24.46	25.37	25.70	27.37
Transport and Communication ..	17.75	21.38	25.02	26.98	27.63	29.54
Wholesale and Retail Trade ..	17.11	21.30	26.36	27.42	28.10	29.58
Public Authority (n.e.i.) and Community and Business Services ..	17.01	20.97	25.78	26.73	28.01	29.74
Amusement, Hotels, Personal Service, etc. ..	16.68	20.17	24.50	25.45	25.95	27.48
All Industry Groups ..	17.03	20.69	25.17	26.15	26.69	28.32

INDEX NUMBERS.

(Base: Weighted Average Weekly Wage Rate, Australia, 1954 = 100.)

Manufacturing—						
Engineering, Metals, Vehicles, etc. ..	85.9	103.7	125.5	129.8	131.4	141.1
Textiles, Clothing and Footwear ..	86.0	100.9	120.9	125.3	127.0	134.8
Food, Drink and Tobacco ..	83.3	103.9	123.7	128.6	130.2	138.5
Other Manufacturing ..	84.8	102.3	124.6	129.4	131.1	139.9
All Manufacturing Groups ..	85.4	102.1	122.9	127.4	129.1	137.5
Transport and Communication ..	89.2	107.4	130.7	135.5	138.8	148.4
Wholesale and Retail Trade ..	85.9	107.0	132.4	137.8	141.1	148.6
Public Authority (n.e.i.) and Community and Business Services ..	85.4	105.3	129.5	134.3	140.7	149.4
Amusement, Hotels, Personal Service, etc. ..	83.8	101.3	123.1	127.8	130.3	138.0
All Industry Groups ..	85.6	103.9	126.4	131.4	134.1	142.3

(a) Excludes rural industry, mining and quarrying, and building and construction. (b) The amounts shown should not be regarded as actual current averages, but as indexes expressed in money terms, indicative of trends.

5. Hourly Wage Rates.—(i) Adult Males.—(a) Industry Groups, States. The following table shows the weighted average minimum hourly rates of wage payable to adult male workers at 31st December, 1964.

**HOURLY RATES OF WAGE: ADULT MALES, INDUSTRY GROUPS,
31ST DECEMBER, 1964.(a)**

Weighted Average Minimum Hourly Rates payable and Index Numbers of Hourly Rates.

Industry Group.	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGE.(b)							
(Cents)							
Mining and Quarrying(c) ..	130.58	97.83	117.37	96.00	107.47	101.00	120.15
Manufacturing—							
Engineering, Metals, Vehicles, etc.	97.25	96.87	97.79	96.92	97.12	100.94	97.21
Textiles, Clothing and Footwear	95.57	94.42	95.46	91.83	95.12	93.02	94.73
Food, Drink and Tobacco	97.82	100.54	96.33	93.71	96.92	96.29	97.97
Sawmilling, Furniture, etc.	98.37	94.36	93.27	95.21	93.77	95.32	95.58
Paper, Printing, etc.	104.71	106.70	108.36	103.75	112.94	99.36	105.62
Other Manufacturing	98.23	96.72	94.08	96.38	94.21	97.45	96.98
All Manufacturing Groups	97.90	97.44	96.77	96.47	96.57	98.21	97.44
Building and Construction	101.34	105.50	94.14	98.21	96.23	100.23	100.36
Railway Services	98.91	91.30	99.02	93.82	92.71	97.19	96.17
Road and Air Transport	100.94	96.79	92.11	94.07	96.92	95.83	97.62
Communication	112.54	111.69	111.11	111.39	111.50	110.52	111.87
Wholesale and Retail Trade	99.25	99.73	98.73	96.14	97.08	100.29	98.86
Public Authority (n.e.i.) and Community and Business Services	101.62	98.77	97.82	94.95	94.38	103.52	98.96
Amusement, Hotels, Personal Service, etc.	96.50	91.33	91.27	91.44	93.00	93.17	93.79
All Industry Groups(a) ..	100.77	98.74	98.13	96.77	97.37	99.37	99.20

INDEX NUMBERS.

(Base: Weighted Average Hourly Wage Rate, Australia, 1954 = 100.)

Mining and Quarrying(c) ..	184.6	138.3	165.9	135.7	151.9	142.8	169.8
Manufacturing—							
Engineering, Metals, Vehicles, etc.	137.5	136.9	138.2	137.0	137.3	142.7	137.4
Textiles, Clothing and Footwear	135.1	133.5	134.9	129.8	134.5	131.5	133.9
Food, Drink and Tobacco	138.3	142.1	136.2	132.4	137.0	136.1	138.5
Sawmilling, Furniture, etc.	139.0	133.4	131.8	134.6	132.5	134.7	135.1
Paper, Printing etc.	148.0	150.8	153.2	146.6	159.6	140.4	149.3
Other Manufacturing	138.8	136.7	133.0	136.2	133.2	137.7	137.1
All Manufacturing Groups	138.4	137.7	136.8	136.3	136.5	138.8	137.7
Building and Construction	143.2	149.1	133.1	138.8	136.0	141.7	141.8
Railway Services	139.8	129.0	140.0	132.6	131.0	137.4	135.9
Road and Air Transport	142.7	136.8	130.2	133.0	137.0	135.5	138.0
Communication	159.1	157.9	157.0	157.4	157.6	156.2	158.1
Wholesale and Retail Trade	140.3	141.0	139.6	135.9	137.2	141.8	139.7
Public Authority (n.e.i.) and Community and Business Services	143.6	139.6	138.3	134.2	133.4	146.3	139.9
Amusement, Hotels, Personal Service, etc.	136.4	129.1	131.8	129.2	131.4	131.7	132.6
All Industry Groups(a) ..	142.4	139.6	138.7	136.8	137.6	140.4	140.2

(a) Excludes rural industry, and shipping and stevedoring. The former is not included in the Minimum Wage Rate Index and for the latter definite particulars for the computation of hourly wage rates are not available.

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

(c) For mining, the average rates of wage are those prevailing at the principal mining centres in each State. They include lead bonuses, etc.

(b) *Summary, States.*—The following table shows the weighted average minimum hourly rates of wage payable to adult males in each State and Australia at the dates specified. Index numbers are also given for each State with the weighted average for Australia for the year 1954 as base (= 100).

HOURLY WAGE RATES: ADULT MALES, ALL GROUPS.(a)

Weighted Average Minimum Hourly Rates payable and Index Numbers of Hourly Rates.

End of December—	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGE.(b) (Cents)							
1939	22.90	22.03	22.91	21.21	22.62	20.95	22.42
1945	28.03	27.54	27.19	26.43	27.36	26.42	27.54
1950	51.63	50.48	48.83	49.53	50.29	49.52	50.58
1955	76.57	74.06	71.02	71.40	75.42	73.71	74.47
1960	90.91	87.57	87.79	85.61	89.89	88.08	88.92
1962	93.62	91.01	90.00	89.23	91.77	91.42	91.80
1963	95.87	93.09	92.59	91.07	94.09	93.40	94.01
1964	100.77	98.74	98.13	96.77	97.37	99.37	99.20

INDEX NUMBERS.
(Base: Weighted Average Hourly Wage Rate, Australia, 1954 = 100.)

1939	32.4	31.1	32.4	30.0	32.0	29.6	31.7
1945	39.6	38.9	38.4	37.4	38.7	37.3	38.9
1950	73.0	71.4	69.0	70.0	71.1	70.0	71.5
1955	108.2	104.7	100.4	100.9	106.6	104.2	105.3
1960	128.5	123.8	124.1	121.0	127.1	124.5	125.7
1962	132.3	128.6	127.2	126.1	129.7	129.2	129.8
1963	135.5	131.6	130.9	128.7	133.0	132.0	132.9
1964	142.4	139.6	138.7	136.8	137.6	140.4	140.2

(a) All industry groups except rural industry, and shipping and stevedoring. The former is not included in the Minimum Wage Rate Index and for the latter definite particulars for the computation of hourly wage rates are not available. (b) See note (b) to table on page 70.

(c) *Industry Groups, Australia.*—The following table shows for Australia weighted average minimum hourly rates of wage for each industry group, for all manufacturing groups and for all groups combined, except rural industry, and shipping and stevedoring. Corresponding index numbers are also given with the weighted average for all groups for the year 1954 as base (= 100).

HOURLY WAGE RATES: ADULT MALES, INDUSTRY GROUPS, AUSTRALIA.(a)
Weighted Average Minimum Hourly Rates payable and Index Numbers of Hourly Rates.

Industry Group.	End of December—						
	1939.	1945.	1950.	1955.	1960.	1963.	1964.
RATES OF WAGE.(b) (Cents)							
Mining and Quarrying(c) ..	26.54	33.91	65.58	92.84	104.92	111.19	120.15
Manufacturing—							
Engineering, Metals, Vehicles, etc	22.70	27.79	50.42	73.69	87.54	92.37	97.21
Textiles, Clothing and Footwear	21.14	26.33	49.35	71.25	85.11	89.77	94.73
Food, Drink and Tobacco	22.55	27.40	50.33	73.97	88.10	92.98	97.97
Sawmilling, Furniture, etc.	22.16	26.81	49.00	72.21	86.54	91.00	95.58
Paper, Printing, etc. ..	23.87	29.30	53.63	78.22	94.92	100.32	105.62
Other Manufacturing	21.92	27.01	49.41	72.87	86.83	91.87	96.98
All Manufacturing Groups	22.44	27.49	50.21	73.54	87.65	92.52	97.44
Building and Construction	22.56	27.22	49.64	73.87	89.37	95.04	100.36
Railway Services	21.48	26.77	48.97	72.75	86.65	91.86	96.17
Road and Air Transport	22.42	27.67	49.48	73.57	88.12	92.83	97.62
Communication	22.27	28.17	53.37	79.18	96.35	102.94	111.87
Wholesale and Retail Trade	22.12	27.12	50.21	74.44	89.27	94.17	98.86
Public Authority (n.e.l.) and Community and Business Services	21.57	26.74	48.93	73.84	88.68	93.58	98.96
Amusement, Hotels, Personal Service, etc.	21.05	26.01	47.92	70.89	84.33	89.00	93.79
All Industry Groups(a) ..	22.42	27.54	50.58	74.47	88.92	94.01	99.20

For footnotes see next page.

HOURLY WAGE RATES: ADULT MALES, ETC.—*continued.*

Industry Group.	End of December—						
	1939.	1945.	1950.	1955.	1960.	1963.	1964.
INDEX NUMBERS. (Base: Weighted Average Hourly Wage Rate, Australia, 1954 = 100.)							
Mining and Quarrying(c) ..	37.5	47.9	92.7	131.2	148.3	157.2	169.8
Manufacturing—							
Engineering, Metals, Vehicles, etc.	32.1	39.3	71.3	104.2	123.7	130.6	137.4
Textiles, Clothing and Footwear ..	29.9	37.2	69.8	100.7	120.3	126.9	133.9
Food, Drink and Tobacco ..	31.9	38.7	71.1	104.6	124.5	131.4	138.5
Sawmilling, Furniture, etc. ..	31.3	37.9	69.3	102.1	122.3	128.6	135.1
Paper, Printing, etc. ..	33.7	41.4	75.8	110.6	134.2	141.8	149.3
Other Manufacturing ..	31.0	38.2	69.8	103.0	122.7	129.9	137.1
All Manufacturing Groups ..	31.7	38.9	71.0	103.9	123.9	130.8	137.7
Building and Construction ..	31.9	38.5	70.2	104.4	126.3	134.3	141.8
Railway Services ..	30.4	37.8	69.2	102.8	122.5	129.8	135.9
Road and Air Transport ..	31.7	39.1	69.9	104.0	124.6	131.2	138.0
Communication ..	31.5	39.8	75.4	111.9	136.2	145.5	158.1
Wholesale and Retail Trade ..	31.3	38.3	71.0	105.2	126.2	133.1	139.7
Public Authority (n.e.i.) and Community and Business Services ..	30.5	37.8	69.2	104.4	125.3	132.3	139.9
Amusement, Hotels, Personal Service, etc. ..	29.8	36.8	67.7	100.2	119.2	125.8	132.6
All Industry Groups(a) ..	31.7	38.9	71.5	105.3	125.7	132.9	140.2

(a) Excludes rural industry, and shipping and stevedoring. The former is not included in the Minimum Wage Rate Index and for the latter definite particulars for the computation of hourly rates of wage are not available. (b) See note (b) to table on page 70. (c) For mining, the average rates of wage are those prevailing at the principal mining centres in each State. They include lead bonuses, etc.

(ii) *Adult Females.*—(a) *Industry Groups, States.* The following table shows the weighted average minimum hourly rates of wage payable to adult female workers at 31st December, 1964, in the principal industry groups, and corresponding index numbers.

HOURLY RATES OF WAGE: ADULT FEMALES, INDUSTRY GROUPS,
31ST DECEMBER, 1964.(a)

Weighted Average Minimum Hourly Rates payable and Index Numbers of Hourly Rates.

Industry Group.	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGE.(b) (Cents)							
Manufacturing—							
Engineering, Metals, Vehicles, etc.	72.35	68.99	69.42	66.48	67.64	67.08	70.32
Textiles, Clothing and Footwear ..	67.71	66.58	67.50	67.30	67.86	65.08	67.12
Food, Drink and Tobacco ..	72.25	67.27	68.71	66.27	64.54	65.21	68.94
Other Manufacturing ..	71.50	68.18	71.07	66.77	66.98	65.86	69.83
All Manufacturing Groups ..	70.12	67.30	68.75	66.75	66.87	65.42	68.50
Transport and Communication ..	79.22	76.48	78.09	76.24	77.66	79.82	77.92
Wholesale and Retail Trade ..	78.23	72.94	72.32	70.04	69.54	68.11	74.29
Public Authority (n.e.i.) and Community and Business Services ..	81.86	73.91	71.91	71.32	68.84	79.68	76.40
Amusement, Hotels, Personal Service, etc. ..	71.38	66.83	67.44	64.56	72.18	67.10	69.24
All Industry Groups(a) ..	73.91	69.47	70.91	68.56	69.63	68.19	71.40

INDEX NUMBERS.
(Base: Weighted Average Hourly Wage Rate, Australia, 1954 = 100.)

Manufacturing—							
Engineering, Metals, Vehicles, etc.	144.2	137.5	138.3	132.5	134.8	133.7	140.1
Textiles, Clothing and Footwear ..	134.9	132.7	134.5	134.1	135.2	129.7	133.8
Food, Drink and Tobacco ..	144.0	134.1	136.9	132.1	128.6	130.0	137.4
Other Manufacturing ..	142.5	135.9	141.6	133.1	133.5	131.3	139.2
All Manufacturing Groups ..	139.7	134.1	137.0	133.0	133.3	130.4	136.5
Transport and Communication ..	157.9	152.4	155.6	152.0	154.8	159.1	155.3
Wholesale and Retail Trade ..	155.9	145.4	144.1	139.6	138.6	135.7	148.1
Public Authority (n.e.i.) and Community and Business Services ..	163.1	147.3	143.3	142.1	137.2	158.8	152.3
Amusement, Hotels, Personal Service, etc. ..	142.3	133.2	134.4	128.7	143.9	133.7	138.0
All Industry Groups(a) ..	147.3	138.5	141.3	136.6	138.8	135.9	142.3

(a) Excludes rural industry, mining and quarrying, and building and construction. (b) See note (b) to table on page 70.

(b) *Summary, States.*—The following table shows the weighted average minimum hourly rates of wage payable to adult female workers in each State and Australia at the dates specified. Index numbers are also given for each State with the weighted average for Australia for the year 1954 as base (= 100).

HOURLY WAGE RATES: ADULT FEMALES, ALL GROUPS.(a)
Weighted Average Minimum Hourly Rates payable and Index Numbers of Hourly Rates.

End of December—	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
RATES OF WAGE.(b) (Cents)							
1951	43.58	43.25	40.60	42.81	40.85	41.86	42.92
1955	53.04	52.86	48.93	50.73	49.71	50.56	52.16
1960	66.09	61.94	60.28	61.08	63.14	60.37	63.44
1961	68.09	64.45	64.36	63.37	64.50	62.75	65.83
1962	68.07	64.47	64.42	63.45	65.91	62.77	65.92
1963	69.84	65.50	65.91	64.16	66.99	63.61	67.28
1964	73.91	69.47	70.91	68.56	69.63	68.19	71.40

INDEX NUMBERS.
(Base: Weighted Average Hourly Wage Rate, Australia, 1954 = 100.)

1951	86.9	86.2	80.9	85.3	81.4	83.4	85.6
1955	105.7	105.3	97.5	101.1	99.1	100.8	104.0
1960	131.7	123.5	120.1	121.7	125.8	120.3	126.4
1961	135.7	128.5	128.3	126.3	128.5	125.1	131.2
1962	135.7	128.5	128.4	126.5	131.4	125.1	131.4
1963	139.2	130.5	131.4	127.9	133.5	126.8	134.1
1964	147.3	138.5	141.3	136.6	138.8	135.9	142.3

(a) Excludes rural industry, mining and quarrying, and building and construction. (b) See note (b) to table on page 70.

(c) *Industry Groups, Australia.*—The following table shows for Australia weighted average minimum hourly rates of wage for each of the industry groups in which the number of females is significant, for all manufacturing groups and for all groups combined, at the dates specified. Corresponding index numbers are also given with the weighted average for all groups for the year 1954 as base (= 100).

HOURLY WAGE RATES: ADULT FEMALES, INDUSTRY GROUPS, AUSTRALIA.(a)
Weighted Average Minimum Hourly Rates payable and Index Numbers of Hourly Rates.

Industry Group.	End of December—					
	1951.	1955.	1960.	1962.	1963.	1964.
RATES OF WAGE.(b) (Cents)						
Manufacturing—						
Engineering, Metals, Vehicles, etc. ..	42.79	51.70	62.53	64.68	65.49	70.32
Textiles, Clothing and Footwear ..	42.82	50.26	60.20	62.41	63.26	67.12
Food, Drink and Tobacco ..	41.44	51.71	61.58	63.98	64.79	68.94
Other Manufacturing ..	42.32	51.06	62.20	64.62	65.47	69.83
All Manufacturing Groups ..	42.53	50.90	61.22	63.50	64.33	68.50
Transport and Communication ..	46.82	56.41	68.62	71.17	72.89	77.92
Wholesale and Retail Trade ..	42.97	53.49	66.19	68.87	70.57	74.29
Public Authority (n.e.i.) and Community and Business Services ..	43.69	53.86	66.21	68.67	71.94	76.40
Amusement, Hotels, Personal Service, etc. ..	41.97	50.85	61.77	64.17	65.40	69.24
All Industry Groups(a) ..	42.92	52.16	63.44	65.92	67.28	71.40

HOURLY WAGE RATES, ETC.—*continued.*

INDEX NUMBERS.

(Base: Weighted Average Hourly Wage Rate, Australia, 1954 = 100.)

Manufacturing—						
Engineering, Metals, Vehicles, etc. ..	85.3	103.0	124.6	128.9	130.5	140.1
Textiles, Clothing and Footwear ..	85.3	100.2	120.0	124.4	126.1	133.8
Food, Drink and Tobacco ..	82.6	103.1	122.7	127.5	129.1	137.4
Other Manufacturing ..	84.4	101.8	124.0	128.8	130.5	139.2
All Manufacturing Groups ..	84.8	101.4	122.0	126.6	128.2	136.5
Transport and Communication ..	93.3	112.4	136.8	141.9	145.3	155.3
Wholesale and Retail Trade ..	85.6	106.6	131.9	137.3	140.6	148.1
Public Authority (n.e.k.) and Community and Business Services ..	87.1	107.3	132.0	136.9	143.4	152.3
Amusement, Hotels, Personal Service, etc. ..	83.7	101.3	123.1	127.9	130.3	138.0
All Industry Groups ^(a) ..	85.6	104.0	126.4	131.4	134.1	142.3

(a) Excludes rural industry, mining and quarrying, and building and construction. (b) See note (b) to table on page 70.

6. Standard Hours of Work.—(i) *General.*—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. The hours of work so prescribed form the basis of the compilation of the weighted averages and index numbers on pages 70-78.

The main features of the reduction of hours to 44 and later to 40 per week are summarized below. In considering such changes it must be remembered that even within individual States the authority to alter conditions of work is divided between Commonwealth and State industrial tribunals and the various legislatures, and that the State legislation usually does not apply to employees covered by awards of the Commonwealth Conciliation and Arbitration Commission. However, it may do so in respect of matters not treated in Commonwealth awards.

(ii) *The 44-hour Week.*—No permanent reduction to a 44-hour week was effected until 1925, although temporary reductions had been achieved earlier. In 1920 the New South Wales legislature granted a 44-hour week to most industries, but in the following year this provision was withdrawn. Also in 1920 the President of the Commonwealth Court of Conciliation and Arbitration (Higgins J.), after inquiry, granted a 44-hour week to the Timber Workers' Union, and in the following year extended the same privilege to the Amalgamated Society of Engineers. In 1921, however, a reconstituted Commonwealth Court of Conciliation and Arbitration unanimously rejected applications by five trade unions for the shorter standard week and reintroduced the 48-hour week in the case of the above-mentioned two unions then working 44 hours. During 1924 the Queensland Parliament passed legislation to operate from 1st July, 1925, granting the 44-hour standard week to employees whose conditions of work were regulated by awards and agreements of the Queensland State industrial authority. Similar legislative action in New South Wales led to the re-introduction of the 44-hour week in that State as from 4th January, 1926.

In 1927, after an exhaustive inquiry, 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. Applications for the shorter hours by other unions were,

however, treated individually, the nature of the industry, the problem of production, the financial status and the amount of foreign competition being fully investigated. The economic depression delayed the extension of the standard 44-hour week until the subsequent improvement in economic conditions made possible its general extension to employees under Commonwealth awards.

In States other than New South Wales and Queensland no legislation was passed to reduce the standard hours of work so that, for employees not covered by Commonwealth awards, the change had to be effected by decisions of the appropriate industrial tribunals. In these cases the date on which the reduction to 44 hours was implemented depended on the decision of the tribunals in particular industries, employees in some industries receiving the benefit of the reduced hours years ahead of those in others. In these States the change to the shorter week extended over the years from 1926 to 1941.

(iii) *The 40-hour Week.*—(a) *Standard Hours Inquiry, 1947.*—Soon after the end of the 1939-45 War, applications were made to the Commonwealth Court of Conciliation and Arbitration for the introduction of a 40-hour week, and the hearing by the Court commenced in October, 1945. Before the Court gave its decision the New South Wales Parliament passed legislation granting a 40-hour week, operative from 1st July, 1947, to industries and trades regulated by State awards and agreements, and in Queensland similar legislation was introduced in Parliament providing for the 40-hour week to operate from 1st January, 1948.

The Commonwealth Court of Conciliation and Arbitration, in its judgment on 8th September, 1947, granted the reduction to the 40-hour week from the beginning of the first pay-period commencing in January, 1948. The Queensland Act was passed, and was proclaimed on 10th October, 1947. On 27th October, 1947, the South Australian Industrial Court, after hearing applications by unions, approved the incorporation of the 40-hour standard week in awards of that State. The Court of Arbitration of Western Australia on 6th November, 1947, approved that, on application, provision for a 40-hour week could be incorporated in awards of the Court, commencing from 1st January, 1948.

In Victoria and Tasmania the Wages Boards met and also incorporated the shorter working week in their determinations, so that from the beginning of 1948 practically all employees in Australia whose conditions of work were regulated by industrial authorities had the advantages of a standard working week of 40 hours or, in certain cases, less.

(b) *Basic Wage and Standard Hours Inquiry, 1952-53.*—In the 1952-53 Basic Wage and Standard Hours Inquiry the employers sought an increase in the standard hours of work per week, claiming that one of the chief causes of the high costs and inflation had been the loss of production due to the introduction of the 40-hour week. This claim was rejected by the Court as it considered 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. (See also page 104.)

(c) *Basic Wage and Standard Hours Inquiry, 1961.* In this Inquiry the Commonwealth Conciliation and Arbitration Commission was asked by the employers to increase the number of ordinary working hours per week from 40 to 42, with a concomitant increase in weekly wages by an amount equal to two hours' pay at ordinary rates, and to effect certain other consequential variations. This was to have been a temporary measure, effective for four years, after which time weekly hours would have reverted to 40, but the increased wage would have remained. The application was rejected by the Commission. (See also page 109.)

(iv) *Weighted Average Standard Weekly Hours of Work.*—(a) *Industry Groups, States.*—The 40-hour week has operated in Australia generally from 1st January, 1948, and in New South Wales from 1st July, 1947 (see para. 5 (iii), page 75). However, the number of hours constituting a full week's work (excluding overtime) differs between occupations and/or between States. The following table shows, for each State and Australia, the weighted average standard hours (excluding overtime) prescribed in awards, determinations and agreements for a full working week in respect of adult males and adult females at 31st December, 1964.

**WEEKLY HOURS OF WORK (EXCLUDING OVERTIME): INDUSTRY GROUPS,
31ST DECEMBER, 1964.(a)**

Weighted Average Standard Hours of Work (excluding overtime) for a Full Working Week.

Industry Group.	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
ADULT MALES.							
Mining and Quarrying(b) ..	39.42	40.00	40.00	40.00	38.78	40.00	39.52
Manufacturing—							
Food, Drink and Tobacco ..	39.94	40.00	40.00	40.00	40.00	40.00	39.98
Paper, Printing, etc. ..	40.00	39.94	40.00	40.00	39.21	40.00	39.95
Other Manufacturing ..	40.00	39.96	40.00	39.91	40.09	39.97	39.98
All Manufacturing Groups ..	39.99	39.99	40.00	39.98	39.98	40.00	39.99
Railway Services ..	40.00	39.96	40.00	40.00	40.00	40.00	39.99
Communication ..	40.00	40.00	40.00	39.59	40.00	39.59	39.95
Public Authority (n.e.i.) and Community and Business Services ..	39.23	38.93	39.52	39.23	39.58	39.39	39.25
Amusement, Hotels, Personal Service, etc. ..	40.00	40.00	40.00	40.00	40.00	39.89	40.00
All Other Groups(c) ..	40.00	40.00	40.00	40.00	40.00	40.00	40.00
All Industry Groups(d) ..	39.95	39.97	39.98	39.96	39.89	39.97	39.96

ADULT FEMALES.

Manufacturing—							
Engineering, Metals, Vehicles, etc. ..	39.97	39.87	40.00	40.00	40.00	40.00	39.94
Textiles, Clothing and Footwear ..	39.95	40.00	40.00	40.00	40.00	40.00	39.98
Food, Drink and Tobacco ..	40.00	40.00	40.00	40.00	40.00	40.00	40.00
Other Manufacturing ..	39.79	39.94	40.00	39.86	40.00	40.00	39.87
All Manufacturing Groups ..	39.92	39.97	40.00	39.97	40.00	40.00	39.95
Transport and Communication ..	38.04	37.94	37.81	37.84	37.88	36.30	37.91
Wholesale and Retail Trade ..	39.55	40.00	40.00	40.00	40.00	40.00	39.82
Public Authority (n.e.i.) and Community and Business Services ..	38.49	39.25	39.24	39.19	39.44	37.70	38.93
Amusement, Hotels, Personal Service, etc. ..	39.40	39.94	39.91	39.85	39.92	39.88	39.68
All Industry Groups(e) ..	39.53	39.81	39.70	39.77	39.78	39.63	39.67

(a) The hours of work shown should not be regarded as actual current averages, but as indexes, indicative of trends. (b) For mining, the average hours are those prevailing at the principal mining centres in each State. (c) Engineering, Metals, Vehicles, etc.; Textiles, Clothing and Footwear; Sawmilling Furniture, etc.; Building and Construction; Road and Air Transport; and Wholesale and Retail Trade. (d) Excludes Rural, and Shipping and Stevedoring. The former is not included in the Minimum Wage Rate Index and for the latter definite particulars of the computation of average hours of work are not available. (e) Excludes rural industry, mining and quarrying, and building and construction.

(b) *Summary, States.*—The following table shows, for each State and Australia, the weighted average standard hours (excluding overtime) in a full working week for adult males during the period March, 1939, to December, 1964, and for adult females during the period March, 1951, to December, 1964. Index numbers are given for each State with the weighted average hours of work for Australia for the year 1954 as base (= 100).

Dates have been selected so as to indicate when the more important changes occurred.

WEEKLY HOURS OF WORK (EXCLUDING OVERTIME),(a)

Weighted Average Standard Hours of Work (excluding overtime) for a Full Working Week and Index Numbers of Hours of Work.

End of—	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Aust.
ADULT MALES—HOURS OF WORK.(b)							
March, 1939 ..	43.81	44.46	43.55	44.62	44.57	44.32	44.10
September, 1941 ..	43.76	44.02	43.51	43.92	44.12	43.95	43.85
September, 1947 ..	41.83	43.82	43.48	43.83	43.95	43.73	43.00
March, 1948 ..	40.02	40.03	40.01	40.11	40.06	40.22	40.04
September, 1953 ..	39.95	39.97	39.98	39.96	39.89	39.99	39.96
December, 1964 ..	39.95	39.97	39.98	39.96	39.89	39.97	39.96

ADULT MALES—INDEX NUMBERS.

(Base: *Weighted Average Hours of Work, Australia, 1954 = 100.*)

March, 1939 ..	109.6	111.3	109.0	111.7	111.5	110.9	110.4
September, 1941 ..	109.5	110.2	108.9	109.9	110.4	110.0	109.7
September, 1947 ..	104.7	109.7	108.8	109.7	110.0	109.4	107.6
March, 1948 ..	100.2	100.2	100.1	100.4	100.3	100.7	100.2
September, 1953 ..	100.0	100.0	100.0	100.0	99.8	100.1	100.0
December, 1964 ..	100.0	100.0	100.0	100.0	99.8	100.0	100.0

ADULT FEMALES—HOURS OF WORK.(b)

March, 1951 ..	39.54	39.81	39.70	39.77	39.87	39.56	39.68
June, 1953 ..	39.53	39.81	39.70	39.77	39.78	39.56	39.67
December, 1964 ..	39.53	39.81	39.70	39.77	39.78	39.56	39.67

ADULT FEMALES—INDEX NUMBERS.

(Base: *Weighted Average Hours of Work, Australia, 1954 = 100.*)

March, 1951 ..	99.7	100.4	100.1	100.3	100.5	97.7	100.0
June, 1953 ..	99.6	100.4	100.1	100.3	100.3	99.7	100.0
December, 1964 ..	99.6	100.4	100.1	100.3	100.3	99.7	100.0

(a) Weighted average standard weekly hours of work for all industry groups except rural, and shipping and stevedoring. The former is not included in the index and for the latter definite particulars are not available. (b) The figures shown should not be regarded as actual current averages, but as an index expressed in hours, indicative of trends.

(c) *Industry Groups, Australia.*—The following tables show for Australia, for adult males and adult females, the weighted average standard weekly hours of work in the principal industry groups at the dates specified. Corresponding index numbers are also given with the weighted average for all groups for the year 1954 as base (= 100).

**WEEKLY HOURS OF WORK (EXCLUDING OVERTIME): ADULT MALES,
INDUSTRY GROUPS(a), AUSTRALIA.**
*Weighted Average Standard Hours of Work (excluding overtime) for a Full Working
Week and Index Numbers of Hours of Work.*

Industry Group.	HOURS OF WORK.(b)					
	31st March, 1939.	30th Sept., 1941.	30th Sept., 1947.	31st March, 1948.	30th Sept., 1953.	31st Dec., 1964.
Mining and Quarrying(c)	41.49	41.11	40.80	39.62	39.52	39.52
Manufacturing—						
Engineering, Metals, Vehicles, etc. ..	44.03	43.96	43.43	40.01	40.00	40.00
Textiles, Clothing and Footwear ..	44.25	43.99	43.69	40.02	40.00	40.00
Food, Drink and Tobacco	44.21	43.84	42.70	40.04	39.98	39.98
Sawmilling, Furniture, etc.	44.10	44.00	43.53	40.00	40.00	40.00
Paper, Printing, etc.	43.90	43.79	42.94	40.06	39.95	39.95
Other Manufacturing	44.05	43.91	42.80	40.08	39.98	39.98
All Manufacturing Groups	44.08	43.93	43.21	40.03	39.99	39.99
Building and Construction	44.07	43.97	42.71	40.00	40.00	40.00
Railway Services	43.99	43.99	43.96	40.06	39.99	39.99
Road and Air Transport	45.09	43.95	43.11	40.62	40.00	40.00
Communication	43.92	43.92	43.92	39.97	39.97	39.95
Wholesale and Retail Trade	44.76	44.12	42.64	40.13	40.00	40.00
Public Authority (n.e.i.) and Community and Business Services	42.62	42.61	41.17	39.39	39.25	39.25
Amusement, Hotels, Personal Service, etc. ..	45.13	44.37	43.55	40.29	40.00	40.00
All Industry Groups(a)	44.10	43.85	43.00	40.04	39.96	39.96

INDEX NUMBERS.
(Base: Weighted Average Hours of Work, Australia, 1954 = 100.)

Mining and Quarrying(c)	103.8	102.9	102.1	99.1	98.9	98.9
Manufacturing—						
Engineering, Metals, Vehicles, etc. ..	110.2	110.0	108.7	100.1	100.1	100.1
Textiles, Clothing and Footwear ..	110.7	110.1	109.3	100.2	100.1	100.1
Food, Drink and Tobacco	110.6	109.7	106.9	100.2	100.0	100.0
Sawmilling, Furniture, etc.	110.4	110.1	108.9	100.1	100.1	100.1
Paper, Printing, etc.	109.9	109.6	107.5	100.3	100.0	100.0
Other Manufacturing	110.2	109.9	107.1	100.3	100.0	100.0
All Manufacturing Groups	110.3	109.9	108.1	100.2	100.1	100.1
Building and Construction	110.3	110.0	106.9	100.1	100.1	100.1
Railway Services	110.1	110.1	110.0	100.3	100.1	100.1
Road and Air Transport	112.8	110.1	107.9	101.7	100.1	100.1
Communication	109.9	109.9	109.9	100.0	100.0	100.0
Wholesale and Retail Trade	112.0	110.4	106.7	100.4	100.1	100.1
Public Authority (n.e.i.) and Community and Business Services	106.7	106.6	103.0	98.6	98.1	98.2
Amusement, Hotels, Personal Service, etc. ..	112.9	111.0	109.0	100.8	100.1	100.1
All Industry Groups(a)	110.4	109.7	107.6	100.2	100.0	100.0

(a) Excludes rural industry, and shipping and stevedoring. (b) See note (b) to table on page 77. (c) For mining, the average hours of work are those prevailing at the principal mining centres in each State.

**WEEKLY HOURS OF WORK (EXCLUDING OVERTIME): ADULT FEMALES,
INDUSTRY GROUPS,(a) AUSTRALIA.**
*Weighted Average Standard Hours of Work (excluding overtime), for a Full Working Week
and Index Numbers of Hours of Work.*

Industry Group.	Hours of Work.(b)			Index Numbers.(c)		
	31st March, 1951.	30th June, 1953.	31st Dec., 1964.	31st March, 1951.	30th June, 1953.	31st Dec., 1964.
Manufacturing—						
Engineering, Metals, Vehicles, etc. ..	39.94	39.94	39.94	100.7	100.7	100.7
Textiles, Clothing and Footwear ..	39.98	39.98	39.98	100.8	100.8	100.8
Food, Drink and Tobacco	40.00	40.00	40.00	100.8	100.8	100.8
Other Manufacturing	39.87	39.87	39.87	100.5	100.5	100.5
All Manufacturing Groups	39.95	39.95	39.95	100.7	100.7	100.7
Transport and Communication	37.91	37.91	37.91	95.6	95.6	95.6
Wholesale and Retail Trade	39.82	39.82	39.82	100.4	100.4	100.4
Public Authority (n.e.i.) and Community and Business Services	38.97	38.93	38.93	98.2	98.1	98.1
Amusement, Hotels, Personal Service, etc. ..	39.73	39.66	39.66	100.2	100.0	100.0
All Industry Groups(c)	39.68	39.67	39.67	100.0	100.0	100.0

(a) Excludes rural industry, mining and quarrying, and building and construction. (b) See note (b) to table on page 77. (c) Base: Weighted Average Hours of Work, Australia, 1954 = 100.

§ 3. Average Weekly Earnings.

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

Particulars of wages and salaries paid are not available for males and females separately from the sources mentioned above; average weekly earnings have therefore been calculated in terms of male units. Male units represent total male employment plus a proportion of female employment based on the approximate ratio of female to male earnings. As it was not possible to estimate the ratio of male to female earnings in the several States the same ratio has been used in each State. Because the actual ratio may vary between States precise comparisons between average earnings in different States cannot be made on the basis of the figures shown.

For a number of reasons average weekly earnings per employed male unit cannot be compared with the minimum weekly wage rates shown on pages 61-67. The latter are weighted average minimum (award) rates payable to adult male wage earners in non-rural industry for a full week's work, at the end of each month or year. The average weekly earning series represent actual average weekly payments to all wage earners and salaried employees (whether adult or junior, full-time or part-time, casual, etc.) and are quarterly or annual averages.

Quarterly figures corresponding to those shown below are published in the monthly bulletin *Wage Rates and Earnings* and in the *Monthly Review of Business Statistics*.

2. **Average Weekly Earnings.**—Particulars of average weekly earnings per employed male unit are shown in the following table for each of the years 1955-56 to 1964-65. Tables showing quarterly and annual figures for each State from September quarter, 1954, and for Australia from September quarter, 1947, will be found in Section VII of the Appendix.

AVERAGE WEEKLY EARNINGS PER EMPLOYED MALE UNIT.(a) (\$)

Period.	N.S.W. (b)	Vic.	Qld.	S.A. (c)	W.A.	Tas.	Aust.
1955-56 ..	37.90	37.80	33.00	35.90	33.90	35.60	36.70
1956-57 ..	39.90	39.60	34.80	36.70	35.00	37.70	38.40
1957-58 ..	41.00	40.70	35.70	37.70	36.20	38.30	39.50
1958-59 ..	42.30	42.00	37.20	38.60	36.60	39.20	40.70
1959-60 ..	45.70	45.50	39.40	41.80	39.20	41.90	43.90
1960-61 ..	48.10	47.20	41.60	43.40	41.60	43.30	46.00
1961-62 ..	49.10	48.50	43.20	44.70	43.00	45.30	47.20
1962-63 ..	50.20	50.10	44.40	45.80	44.20	45.90	48.40
1963-64 ..	52.60	52.50	46.70	48.10	47.20	48.60	50.90
1964-65 ..	56.60	56.30	50.40	51.70	49.30	50.80	54.60

(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 periods specified, etc. See explanatory notes in paragraph 1 above. (b) Includes the Australian Capital Territory. (c) Includes the Northern Territory.

3. **Indexes of Average Weekly Earnings.**—The following table shows, for "All Industries" and for "Manufacturing", seasonally adjusted indexes of average weekly earnings (base: 1953-54 = 100) for the period 1955-56 to 1964-65. The "All Industries" index is based on Pay-roll Tax returns and other data. It relates to average weekly earnings per employed male unit. The index for manufacturing industries is based on the average earnings of male wage and salary earners employed in factories as disclosed by annual factory censuses.

The index numbers for "All Industries" and "Manufacturing" show the movement in average earnings for each group over a period of time. They do not give, at any point of time, a comparison of actual earnings in the two groups.

A table showing seasonally adjusted indexes for each quarter from September quarter, 1954, will be found in Section VI of the Appendix.

INDEXES OF AVERAGE WEEKLY EARNINGS^(a): AUSTRALIA.
SEASONALLY ADJUSTED.
(Base: 1953-54 = 100.)

Year.	All Industries.	Manufacturing.	Quarter.	All Industries.	Manufacturing.
1955-56 ..	112.3	113.8	1963—March ..	149.7	149.3
1956-57 ..	117.7	118.3	June ..	151.3	148.8
1957-58 ..	120.8	122.0	September ..	150.9	151.4
1958-59 ..	124.5	125.6	December ..	155.4	152.8
1959-60 ..	134.3	135.4			
			1964—March ..	157.8	156.9
1960-61 ..	140.6	141.1	June ..	158.7	158.2
1961-62 ..	144.7	143.4	September ..	163.3	165.3
1962-63 ..	148.3	147.7	December ..	165.1	164.2
1963-64 ..	155.7	154.8			
1964-65 ..	167.1	167.1	1965—March ..	169.4	168.4
			June ..	170.4	170.4

(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 periods specified, etc. See paragraph 1, page 79.

§ 4. Surveys of Wage Rates, Earnings and Hours.

1. **General.**—Since 1960 a number of statistical surveys of wages and hours of work in Australia have been undertaken by this Bureau. 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 previously available in Australia.

Each of these surveys was based on returns from stratified random samples of private employers subject to Pay-roll Tax. (Employers paying more than \$400 a week in wages and salaries are liable to Pay-roll Tax.) The surveys did not include government or semi-government employees. Because of insufficient data, employees in rural industry and private domestic service were excluded, as also were employees of religious, benevolent and other similar bodies exempt from Pay-roll Tax. In addition the 1960 survey excluded a number of other industries (*see below*).

2. **Survey of Wage Rates and Earnings, September, 1960.**—This survey, relating to the last pay-period in September, 1960, obtained information as to marginal rates of wage and actual weekly earnings of adult male employees (excluding part-time and casual employees). In addition to the exclusion of government and semi-government employees, and private employees in rural industry and in private domestic service, the survey did not cover the following—shipping and stevedoring industries; the motion picture industry; certain businesses such as those of accountants, consultant engineers, etc.; and trade associations, etc. The survey was based on a stratified random sample of private employers in other industries who were subject to Pay-roll Tax.

The results of the survey were based on returns received from more than 3,000 employers, a response rate of about 90 per cent. of those approached. The sample represented 1,104,600 adult male employees and was designed to provide accurate particulars only for Australia as a whole; hence no State details are available.

For further details of the results of the survey see Labour Report No. 50, pages 80 to 83.

Definitions relevant to the survey are as follows.

- (a) *Number of Employees* refers to adult male employees on the pay-roll on the last pay-day in September, 1960, and includes employees who, although under 21 years of age, were paid at the adult rate prescribed in the appropriate award. Part-time and casual employees and those absent in the defence forces were excluded.
- (b) The term *awards*, as used herein, denotes awards or determinations of, or agreements registered with, Commonwealth or State industrial tribunals. Employees whose rates of pay and working conditions were not regulated by awards, and employees covered by formal, though unregistered, agreements between employee organizations and employers are shown as "not covered by awards".
- (c) *Margins* are minimum amounts, in addition to the basic wage, awarded to particular classifications of employees for features attaching to their work, such as skill, experience, arduousness or other like factors. For the purposes of this survey the following were not included in margins: special allowances prescribed in awards, such as shift, dirt and height money, leading hand allowances, etc.; and other payments such as commission, payments above the minimum rate for contract and piece work, etc. (see paragraphs (e) and (g) below and also § 6. Wage Margins). In the case of contract work, etc., the margin was determined by the minimum amount prescribed in the award for the class of work performed. Where the marginal rate of wage for an occupation was not specified in an award, the margin was assumed to be the difference between the total minimum prescribed rate of wage for the occupation and the appropriate Commonwealth or State basic wage. For employees not covered by awards, and whose margins were not specified in unregistered agreements, the margin was assumed to be the difference between the appropriate basic wage in the State jurisdiction and the agreed rate of pay for a standard working week (or the weekly equivalent of the agreed rate).
- (d) *Total Weekly Earnings* include ordinary time earnings at award rates (and, for employees not covered by awards, payments at agreed rates for a standard working week), overtime earnings and all other payments. Annual or other periodical bonuses were included only at the appropriate proportion for one week. For employees paid other than weekly, only the proportion of earnings equivalent to one week was included.
- (e) *Ordinary Time Earnings at Award Rates* represent the total weekly payment to adult male employees (excluding part-time and casual employees) for hours of work paid for up to the standard or award hours, calculated at award rates of pay or, for employees not covered by awards, at agreed rates. It includes payments for sick leave, proportion of annual leave, special allowances prescribed in awards, etc. (see paragraph (c) above).

(f) *Overtime Earnings* represent the total weekly payment to adult male employees (excluding part-time and casual employees) for time worked in excess of award or agreed hours.

(g) *Other Earnings* include all payments other than those in paragraphs (e) and (f) above, such as commission, payments above the minimum rate for contract work, incentive scheme, piece-work and profit-sharing scheme payments, proportion of annual or other periodical bonuses, points system payments, attendance or good time-keeping bonuses, etc. (see paragraph (c) above).

In the following table adult male employees in each of the main industry groups are classified according to weekly margin above the basic wage and according to total weekly earnings. For further particulars see Labour Report No. 50, pages 81 and 82.

ADULT MALE EMPLOYEES (EXCLUDING PART-TIME AND CASUAL EMPLOYEES) CLASSIFIED ACCORDING TO MARGINAL RATES OF WAGE AND TOTAL WEEKLY EARNINGS, AUSTRALIA, SEPTEMBER, 1960.(a)

Particulars.	Manufacturing.			Building and Construction. (c)	Wholesale and Retail Trade.	Other Industries.	Total
	Engineering, Metal Works, etc.	Other Manufacturing.	Total Manufacturing.				

EMPLOYEES CLASSIFIED ACCORDING TO MARGINAL RATES OF PAY.(a)
(Per Cent.).

Weekly (Amount above Basic Wage)—	Margin (a) (b)							
Less than \$2 (incl nil)		2.1	2.5	2.4	1.2	1.6	3.5	2.3
\$2 and less than \$3..		11.3	6.1	8.4	5.6	2.1	5.7	6.6
\$3 " " " \$4..		9.1	7.4	8.2	3.5	2.6	3.7	6.0
\$4 " " " \$6..		14.3	19.7	17.2	8.6	14.6	11.2	15.2
\$6 " " " \$8..		13.0	15.6	14.4	15.0	22.4	12.4	15.7
\$8 " " " \$10..		22.7	14.8	18.4	14.4	14.2	16.3	17.0
\$10 " " " £12..		9.3	8.5	8.9	13.0	10.6	10.3	9.7
\$12 and over		18.2	25.4	22.1	38.7	31.9	36.9	27.5
Total ..		100.0	100.0	100.0	100.0	100.0	100.0	100.0

EMPLOYEES CLASSIFIED ACCORDING TO TOTAL WEEKLY EARNINGS.(a)
(Per Cent.).

Total Weekly Earnings(a)—							
Less than \$28(c)	2.3	2.1	2.2	2.2	0.8	1.1	1.7
\$28 and less than \$32 ..	3.1	4.8	4.0	1.7	2.0	2.9	3.3
\$32 " " " \$36 ..	8.3	12.9	10.8	6.5	17.4	9.2	11.3
\$36 " " " \$40 ..	11.6	15.9	13.9	11.1	19.7	12.3	14.6
\$40 " " " \$44 ..	13.2	13.8	13.5	13.6	14.9	11.6	13.5
\$44 " " " \$48 ..	12.6	11.1	11.8	17.7	10.7	10.5	11.8
\$48 " " " \$52 ..	10.4	9.9	10.2	9.8	8.0	10.0	9.7
\$52 " " " \$60 ..	16.5	11.8	13.9	14.2	11.0	14.9	13.5
\$60 " " " \$70 ..	11.9	8.3	10.0	12.0	6.7	12.4	9.9
\$70 and over	10.1	9.4	9.7	11.2	8.8	15.1	10.5
Total ..	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Private employees. For definitions and particulars of the coverage of the survey see pages 80-81.
(b) For some employees, allowances for sick leave, public holidays, etc., have been included in the marginal rates shown. (c) Inquiry indicated that many of the adult males in this group worked less than a full week because of absenteeism, changing jobs, etc.

In the following table the total wages and salaries paid to adult male employees during the last pay-week in September, 1960, in the main industry groups are dissected to show the proportions paid for ordinary time earnings at award rates, overtime earnings and all other earnings. For further particulars see Labour Report No. 50, page 82.

DISSECTION OF TOTAL WAGES AND SALARIES PAID TO ADULT MALE EMPLOYEES (EXCLUDING PART-TIME AND CASUAL EMPLOYEES) DURING LAST PAY-WEEK IN SEPTEMBER, 1960: INDUSTRY GROUPS, AUSTRALIA.(a)

PROPORTION OF TOTAL (PER CENT.).

Industry Group.	Ordinary Time Earnings at Award Rates. (b)	Overtime Earnings.(b)	Other Earnings.(b)	Total.
Manufacturing--				
Engineering, Metal Works, etc.	75.9	14.0	10.1	100.0
Other Manufacturing ..	81.8	10.0	8.2	100.0
<i>Total Manufacturing</i> ..	<i>79.1</i>	<i>11.8</i>	<i>9.1</i>	<i>100.0</i>
Building and Construction ..	79.5	12.5	8.0	100.0
Wholesale and Retail Trade ..	87.2	4.6	8.2	100.0
Other Industries ..	81.8	8.1	10.1	100.0
Total	81.1	9.9	9.0	100.0

(a) Private employees. See page 80 for particulars of the coverage of the survey. (b) For definitions, see page 81.

3. **Survey of Weekly Earnings, October, 1961.**—This survey related to the last pay-period in October, 1961 and provided information about the distribution of actual weekly earnings of adult male employees (excluding part-time and casual employees). The survey did not cover government or semi-government employees or private employees in rural industry or in private domestic service. The survey was based on a stratified random sample of private employers in other industries who were subject to Pay-roll Tax.

Returns were received from all employers selected in the sample, numbering more than 3,500. The sample represented 1,070,400 adult male employees and was designed so that particulars of the distribution of earnings in each State could be obtained as well as those for Australia (see below), but it was not possible, without a considerable increase in the number of returns, to obtain particulars for each industry group in each State. State details were therefore restricted to the two major groups, manufacturing and non-manufacturing; those for Australia were obtained for eight separate industry groups. For further details of the survey see Labour Report No. 50, 1962 and 1963, pages 83 to 86.

Definitions relevant to the survey are as follows.

Number of Employees refers to adult male employees on the pay-roll of the last pay-period in October, 1961, and includes employees who, although under 21 years of age, were paid at the adult rate prescribed for their particular occupation. Part-time and casual employees and those absent in the defence forces were excluded. Executive, clerical and sales staff were included, as were employees working short time who would normally have been full-time employees.

Total Weekly Earnings (i.e. gross earnings before taxation and other deductions) include ordinary time earnings, overtime earnings and all other payments, such as holiday and sick pay, commission, payments above the minimum rate for contract work, incentive scheme, piece-work and profit-sharing scheme payments, points system payments, attendance bonuses, etc. Annual or other periodical bonuses were included only at the appropriate proportion for one week. For employees paid other than weekly, only the proportion of earnings equivalent to one week was included.

(i) *States.* In the following table adult male employees in each State are classified according to total weekly earnings. The proportions of employees in each earnings group are given for manufacturing, non-manufacturing and all industries.

ADULT MALE EMPLOYEES (EXCLUDING PART-TIME AND CASUAL EMPLOYEES) CLASSIFIED ACCORDING TO TOTAL WEEKLY EARNINGS OCTOBER, 1961.(a)

PROPORTION OF TOTAL (PER CENT.).

Total Weekly Earnings.(a)	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	Total.
MANUFACTURING.							
Less than \$28(b)	1.2	1.0	1.3	1.1	0.4	1.5	1.1
\$28 and less than \$32	1.2	2.1	5.3	2.2	4.2	2.0	2.1
\$32 " " " \$36	7.8	11.0	18.3	10.6	16.8	12.3	10.5
\$36 " " " \$40	12.6	14.6	20.6	17.5	20.2	13.8	14.8
\$40 " " " \$44	13.9	15.5	16.8	17.2	17.6	15.5	15.2
\$44 " " " \$48	13.7	12.8	9.2	13.1	10.5	12.6	12.8
\$48 " " " \$52	11.5	10.6	8.0	10.0	8.2	11.4	10.6
\$52 " " " \$60	15.5	12.5	9.4	12.3	10.0	12.8	13.4
\$60 " " " \$70	11.0	9.6	5.8	9.0	5.9	8.9	9.6
\$70 and over	11.6	10.3	5.3	7.0	6.2	9.2	9.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

NON-MANUFACTURING.

Less than \$28(b)	0.9	0.6	0.4	0.5	0.3	0.8	0.7
\$28 and less than \$32	0.7	1.0	2.2	2.0	2.0	2.3	1.2
\$32 " " " \$36	5.0	6.2	13.0	12.1	11.9	10.8	7.7
\$36 " " " \$40	14.3	14.5	19.6	17.7	17.7	19.2	15.8
\$40 " " " \$44	12.8	13.9	14.2	16.8	15.0	14.5	13.9
\$44 " " " \$48	10.8	14.2	9.3	11.8	12.0	13.8	11.8
\$48 " " " \$52	11.8	11.1	8.5	9.1	8.8	9.4	10.6
\$52 " " " \$60	14.7	13.1	11.0	12.0	12.1	11.0	13.2
\$60 " " " \$70	12.1	10.5	9.8	8.7	8.8	8.8	10.7
\$70 and over	16.9	14.9	12.0	9.3	11.4	9.4	14.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

ALL INDUSTRIES.

Less than \$28(b)	1.1	0.9	0.8	0.8	0.3	1.2	0.9
\$28 and less than \$32	1.0	1.7	3.6	2.1	2.9	2.1	1.7
\$32 " " " \$36	6.6	9.1	15.3	11.2	13.9	11.7	9.3
\$36 " " " \$40	13.3	14.5	20.0	17.6	18.7	16.1	15.2
\$40 " " " \$44	13.4	14.9	15.3	17.0	16.1	15.1	14.6
\$44 " " " \$48	12.5	13.4	9.3	12.6	11.4	13.1	12.4
\$48 " " " \$52	11.7	10.8	8.2	9.6	8.6	10.5	10.6
\$52 " " " \$60	15.2	12.7	10.3	12.2	11.2	12.0	13.3
\$60 " " " \$70	11.4	9.9	8.1	8.9	7.6	8.9	10.1
\$70 and over	13.8	12.1	9.1	8.0	9.3	9.3	11.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Private employees. For definitions and particulars of coverage of the survey see page 83.
 (b) Inquiry indicated that the majority of the adult males in this group did not work a full week because of absenteeism, changing jobs, etc. Others were working short time.

(ii) *Australia, Industry Groups.*—Adult male employees in the main industry groups covered by the survey are classified in the following table according to total weekly earnings.

ADULT MALE EMPLOYEES (EXCLUDING PART-TIME AND CASUAL EMPLOYEES) CLASSIFIED ACCORDING TO TOTAL WEEKLY EARNINGS: INDUSTRY GROUPS, AUSTRALIA, OCTOBER, 1961.(a)

Total Weekly Earnings.(a)	Manufacturing.				Building and Construction.	Wholesale and Retail Trade.	Other Industries.	Total.
	Engineering, Metal Works, etc.	Food, Drink and Tobacco.	Other Manufacturing.	Total Manufacturing.				

PROPORTION OF TOTAL (PER CENT.).

Less than \$28(b)	1.3	1.3	0.9	1.1	1.5	0.4	0.6	0.9
\$28 and less than \$32	1.7	2.2	2.4	2.1	1.0	1.2	1.4	1.7
\$32 " " " \$36	8.1	11.4	12.8	10.5	3.9	9.9	6.7	9.3
\$36 " " " \$40	13.8	19.4	14.1	14.8	10.8	21.1	11.4	15.2
\$40 " " " \$44	16.3	14.4	14.3	15.2	15.7	15.3	11.4	14.6
\$44 " " " \$48	14.2	11.8	11.6	12.8	18.1	11.8	9.4	12.4
\$48 " " " \$52	11.0	10.2	10.4	10.6	16.2	9.6	9.7	10.6
\$52 " " " \$60	13.8	12.8	13.1	13.4	12.9	11.6	15.2	13.3
\$60 " " " \$70	10.0	8.6	9.6	9.6	9.0	8.1	14.5	10.1
\$70 and over	9.8	7.9	10.8	9.9	10.9	11.0	19.7	11.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

CUMULATIVE PROPORTION OF TOTAL (PER CENT.).(c)

\$70 and over	9.8	7.9	10.8	9.9	10.9	11.0	19.7	11.9
\$60	19.8	16.5	20.4	19.5	19.9	19.1	34.2	22.0
\$52	33.6	29.3	33.5	32.9	32.8	30.7	49.4	35.3
\$48	44.6	39.5	43.9	43.5	49.0	40.3	59.1	45.9
\$44	58.8	51.3	55.5	56.3	67.1	52.1	68.5	58.3
\$40	75.1	65.7	69.8	71.5	82.8	67.4	79.9	72.9
\$36	88.9	85.1	83.9	86.3	93.6	88.5	91.3	88.1
\$32	97.0	96.5	96.7	96.8	97.5	98.4	98.0	97.4
\$28	98.7	98.7	99.1	98.9	98.5	99.6	99.4	99.1

(a) Private employees. For definitions and particulars of the coverage of the survey see page 83.
 (b) Inquiry indicated that the majority of the adult males in this group did not work a full week because of absenteeism, changing jobs, etc. Others were working short time. (c) These percentages indicate the proportion of the total employees in each industry group whose weekly earnings were as shown.

4. Surveys of Weekly Earnings and Hours, October, 1962, October, 1963 and October, 1964.—(i) *General.* Sample surveys of earnings and hours in respect of most private employers subject to Pay-roll Tax (i.e. those paying more than \$400 per week in wages and salaries), were conducted as at the last pay-period in October for the years 1962, 1963 and 1964. Results of the 1964 survey with some comparisons with the 1962 and 1963 surveys are shown below.

Figures for average weekly earnings, average weekly hours paid for, and average hourly earnings as at the selected pay-periods are shown for males and females (adult and junior) separately by industry groups and by States. They 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, piece-work and profit-sharing scheme payments, etc.

Where an establishment was closed down for part or whole of the last pay-period in October, or operations were seriously curtailed by an industrial dispute, breakdown, fire, etc., the employer was asked to supply particulars of wages and hours for the nearest normal pay-period. However, in the case of the prolonged industrial dispute in the mining industry in Queensland in 1964, actual figures for the specified pay-period were used.

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

Approximately 3,550 employers were included in the October, 1964, survey and the sample represented 1,359,000 male and 568,200 female wage and salary earners.

The figures contained in the tables in this section are for *Employees (other than part-time) Whose Hours of Work Were Known* as defined below. Because of the heterogeneity of the data and the high sampling variability in some areas, figures relating to other employees (part-time workers, executives, etc., and those whose hours of work were not known) are not available for publication.

(iii) *Comparability of Results.* Since the survey estimates are based on a sample they are subject to sampling variability, that is, variations which might occur by chance because only a sample of employers was surveyed. In addition to affecting the results of each sample such aspects also affect comparison between each year's results.

A detailed comparison of the results of the October, 1962, survey with the other two surveys is not presented mainly because there was a change in industry classification after the 1962 survey. A broad comparison by States is shown in the table on page 97.

(iv) *Definitions.* The following definitions refer to terms used in the surveys and in the tables in this section:—

(a) *Employees* refer to male and female employees on the pay-roll of the last pay-period in October.

(b) *Employees Whose Hours of Work Were Known* exclude (i) all managerial, executive, professional and higher supervisory staff, whether or not their hours of work are known, and (ii) any other employees whose hours of work are not known. They comprise all other employees who receive pay for the last pay-period in October and whose hours of work were known (including foremen, transport supervisors, floor-walkers, other minor supervisory employees, clerical and office staff, etc.).

(c) *Part-time Employees* refer to employees who ordinarily work less than 30 hours a week. Employees on short-time who normally work 30 hours or more a week are classified as "other than part-time".

- (d) *Adults* include employees who, although under 21 years of age, are paid at the adult rate for their occupation.
- (e) *Juniors* are those employees under 21 years of age who are not paid at the adult rate for their occupation.
- (f) *Earnings* (i.e. gross earnings, before taxation and other deductions) include ordinary time and overtime earnings, payments for sick leave and holidays, commission, and all other payments such as incentive scheme, piecework and profit-sharing scheme payments, etc., and bonus payments of any kind. Annual or other periodical bonuses are included only at the appropriate proportion for one week. For employees paid other than weekly, only the proportion of earnings equivalent to one week is included.
- (g) *Weekly Hours Paid For* include ordinary time and overtime hours, paid stand-by or reporting time, paid sick leave and paid holidays. For employees paid other than weekly, hours are converted to the equivalent for one week.

(v) *Average Earnings and Hours, Industry Groups—Australia.—(a) Male and Female Employees, October, 1964.*—The following table shows average weekly earnings, average weekly hours paid for and average hourly earnings for the last pay-period in October, 1964, for adult males, adult females, junior males and junior females in various industry groups in Australia.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
INDUSTRY GROUPS—AUSTRALIA(b).
October, 1964(c).**

Industry Group.	Average Weekly Earnings.				Average Weekly Hours Paid For.				Average Hourly Earnings.			
	Adult Males.	Junior Males.	Adult Females.	Junior Females.	Adult Males.	Junior Males.	Adult Females.	Junior Females.	Adult Males.	Junior Males.	Adult Females.	Junior Females.
	\$	\$	\$	\$					\$	\$	\$	\$
Manufacturing—												
Chemicals, dyes, explosives, paints, non-mineral oils ..	55.59	28.73	33.36	23.04	42.91	41.18	39.51	38.76	1.30	0.70	0.84	0.59
Extracting, refining and founding of metals ..	58.69	31.11	32.18	25.05	44.17	41.18	40.02	39.71	1.33	0.76	0.80	0.63
Engineering and metalworking ..	55.49	26.46	31.51	21.38	44.26	42.32	39.71	39.62	1.25	0.63	0.79	0.54
Ships, vehicles, parts and accessories ..	55.74	25.50	31.80	23.56	42.92	40.78	39.38	39.34	1.30	0.63	0.81	0.60
<i>Founding, Engineering, Vehicles, etc.</i> ..	56.13	27.04	31.60	22.14	43.91	41.80	39.67	39.57	1.28	0.65	0.80	0.56
Textiles, clothing and footwear ..	51.63	25.65	31.25	19.28	42.71	41.05	39.65	39.62	1.21	0.62	0.79	0.49
Food, drink and tobacco ..	52.03	26.13	32.28	20.49	43.15	41.10	39.43	39.53	1.21	0.64	0.82	0.52
Paper, printing, bookbinding and photography ..	60.71	26.89	33.49	19.97	42.24	41.11	39.93	39.87	1.44	0.65	0.84	0.50
Other ..	53.25	24.60	30.78	19.63	43.23	41.41	39.91	39.34	1.23	0.59	0.77	0.50
<i>All Manufacturing Groups</i> ..	55.04	26.41	31.66	20.28	43.44	41.51	39.67	39.54	1.27	0.64	0.80	0.51
Mining and quarrying ..	65.46	31.90	35.87	25.55	42.72	41.20	38.91	39.15	1.53	0.77	0.92	0.65
Building and construction ..	59.91	26.81	34.55	22.13	43.74	40.83	38.54	37.99	1.37	0.66	0.90	0.58
Transport and storage ..	59.61	26.66	35.16	23.14	45.21	40.74	39.53	39.27	1.32	0.65	0.89	0.59
Finance and property ..	57.42	27.37	35.75	23.14	38.92	38.60	37.53	37.98	1.48	0.71	0.95	0.62
Retail trade ..	49.67	24.02	32.95	19.48	41.22	40.70	39.77	39.99	1.21	0.59	0.83	0.49
Wholesale trade, primary produce dealing, etc. ..	52.47	24.38	34.04	21.68	41.23	40.10	38.75	39.15	1.27	0.61	0.88	0.55
Other industries(d) ..	53.29	27.22	33.39	22.07	41.21	39.35	38.95	38.48	1.29	0.69	0.86	0.57
<i>All Industry Groups(e)</i> ..	55.18	25.91	32.55	20.91	42.84	40.79	39.40	39.30	1.29	0.64	0.83	0.53

(a) Private employees only. Excludes managerial, executive, professional and higher supervisory staff, whether or not their hours of work were known, and all other employees whose hours of work were not known. For definitions and particulars of coverage of the survey, etc., see pages 86-87. (b) Excludes Northern Territory and Australian Capital Territory. (c) Last pay-period in October, 1964. (d) Includes Community and business services; Amusement, hotels, cafés, personal service, etc.; Electricity, gas, water and sanitary services; and Forestry, fishing and trapping. (e) Excludes Rural industry, and Private domestic service.

(b) *Male Employees—October, 1963 and October, 1964.*—The following table gives details of average weekly earnings, average weekly hours paid for, and average hourly earnings for male employees for the last pay-periods in October, 1963 and October, 1964.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
INDUSTRY GROUPS—AUSTRALIA(b).**

Male Employees—October, 1963 and October, 1964(c).

Industry Group.	Average Weekly Earnings.				Average Weekly Hours Paid For.				Average Hourly Earnings.			
	Adult Males.		Junior Males.		Adult Males.		Junior Males.		Adult Males.		Junior Males.	
	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.
	\$	\$	\$	\$					\$	\$	\$	\$
Manufacturing—												
Chemicals, dyes, explosives, paints, non-mineral oils ..	51.79	55.59	25.90	28.73	41.76	42.91	40.40	41.18	1.24	1.30	0.64	0.70
Extracting, refining and founding of metals ..	53.20	58.69	27.43	31.11	43.43	44.17	41.84	41.18	1.22	1.33	0.66	0.76
Engineering and metalworking ..	51.38	55.49	22.72	26.46	42.78	44.26	41.15	42.32	1.20	1.25	0.55	0.63
Ships, vehicles, parts and accessories ..	52.43	55.74	23.24	25.50	43.54	42.92	41.52	40.78	1.20	1.30	0.56	0.63
<i>Foundry, Engineering, Vehicles, etc.</i>	51.97	56.13	23.55	27.04	43.08	43.91	41.33	41.80	1.21	1.28	0.57	0.65
Textiles, clothing and footwear ..	47.64	51.63	23.02	25.65	41.86	42.71	40.71	41.05	1.14	1.21	0.57	0.62
Food, drink and tobacco ..	48.44	52.03	25.18	26.13	42.68	43.15	41.34	41.10	1.13	1.21	0.61	0.64
Paper, printing, bookbinding and photography ..	56.99	60.71	25.37	26.89	41.78	42.24	40.95	41.11	1.36	1.44	0.62	0.65
Other ..	49.28	53.25	22.08	24.60	43.12	43.23	40.52	41.41	1.14	1.21	0.54	0.59
<i>All Manufacturing Groups</i>	51.01	55.04	23.64	26.41	42.79	43.44	41.06	41.51	1.19	1.27	0.58	0.64
Mining and quarrying ..	60.59	65.46	28.13	31.90	41.61	42.72	41.03	41.20	1.46	1.53	0.69	0.77
Building and construction ..	55.69	59.91	25.48	26.81	43.04	43.74	40.37	40.83	1.29	1.37	0.63	0.66
Transport and storage ..	55.26	59.61	23.72	26.66	44.64	45.21	40.51	40.74	1.24	1.32	0.59	0.65
Finance and property ..	52.53	57.42	24.51	27.37	38.85	38.92	38.36	38.60	1.35	1.48	0.64	0.71
Retail trade ..	46.64	49.67	22.08	24.02	41.20	41.22	41.04	40.70	1.13	1.21	0.54	0.59
Wholesale trade, primary produce dealing, etc. ..	48.72	52.47	22.62	24.38	40.88	41.23	39.77	40.10	1.19	1.27	0.57	0.61
Other industries(d) ..	49.96	53.29	24.78	27.22	41.22	41.21	38.89	39.35	1.21	1.29	0.64	0.69
<i>All Industry Groups(e)</i>	51.23	55.18	23.48	25.91	42.30	42.84	40.55	40.79	1.21	1.29	0.58	0.64

(a) Private employees only. Excludes managerial, executive, professional and higher supervisory staff, whether or not their hours of work were known, and all other employees whose hours of work were not known. For definitions and particulars of coverage of the surveys, etc., see pages 86-87. (b) Excludes Northern Territory and Australian Capital Territory. (c) Last pay-periods in October. (d) Includes Community and business services; Amusement, hotels, cafés, personal service, etc.; Electricity, gas, water and sanitary services; and Forestry, fishing and trapping. (e) Excludes Rural industry, and Private domestic service.

(c) *Female Employees—October, 1963 and October, 1964.*—In the table below average weekly earnings, average weekly hours paid for, and average hourly earnings for the last pay-periods in October, 1963 and October, 1964 are shown for female employees.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
INDUSTRY GROUPS—AUSTRALIA(b).**
Female Employees—October, 1963 and October, 1964(c).

Industry Group.	Average Weekly Earnings.				Average Weekly Hours Paid For.				Average Hourly Earnings.			
	Adult Females.		Junior Females.		Adult Females.		Junior Females.		Adult Females.		Junior Females.	
	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.	Oct. 1963.	Oct. 1964.
	\$	\$	\$	\$					\$	\$	\$	\$
Manufacturing—												
Chemicals, dyes, explosives, paints, non-mineral oils	31.49	33.36	21.19	23.04	39.59	39.51	38.82	38.76	0.80	0.84	0.55	0.59
Extracting, refining and founding of metals	29.99	32.18	22.97	25.05	40.46	40.02	40.67	39.71	0.74	0.80	0.56	0.63
Engineering and metalworking	29.73	31.51	19.69	21.38	39.73	39.71	39.52	39.62	0.75	0.79	0.50	0.54
Ships, vehicles, parts and accessories	30.05	31.80	21.62	23.56	39.70	39.38	39.63	39.34	0.76	0.81	0.55	0.60
<i>Founding, Engineering, Vehicles, etc.</i>	29.80	31.60	20.31	22.14	39.77	39.67	39.64	39.57	0.75	0.80	0.51	0.56
Textiles, clothing and footwear	29.00	31.25	17.36	19.28	39.35	39.65	39.10	39.62	0.74	0.79	0.44	0.49
Food, drink and tobacco	29.90	32.28	19.46	20.49	39.46	39.43	38.95	39.53	0.76	0.82	0.50	0.52
Paper, printing, bookbinding and photography	31.55	33.49	18.68	19.97	39.57	39.93	39.68	39.87	0.80	0.84	0.47	0.50
Other	29.44	30.78	18.41	19.63	39.56	39.91	39.31	39.34	0.74	0.77	0.47	0.50
<i>All Manufacturing Groups</i>	29.64	31.66	18.61	20.28	39.52	39.67	39.25	39.54	0.75	0.80	0.47	0.51
Mining and quarrying	35.27	35.87	23.19	25.55	39.26	38.91	39.34	39.15	0.90	0.92	0.59	0.65
Building and construction	33.61	34.55	20.20	22.13	39.37	38.54	38.64	37.99	0.85	0.90	0.52	0.58
Transport and storage	33.57	35.16	21.93	23.14	39.07	39.53	39.16	39.27	0.86	0.89	0.56	0.59
Finance and property	33.36	35.75	21.98	23.61	37.58	37.53	37.78	37.98	0.89	0.95	0.58	0.62
Retail trade	30.64	32.95	18.17	19.48	39.54	39.77	39.69	39.99	0.78	0.83	0.46	0.49
Wholesale trade, primary produce dealing, etc.	32.16	34.04	20.32	21.68	38.76	38.75	38.66	39.15	0.83	0.88	0.53	0.57
Other industries(d)	31.58	33.39	20.68	22.07	39.04	38.95	38.27	38.48	0.81	0.86	0.54	0.55
<i>All Industry Groups(e)</i>	30.54	32.55	19.37	20.91	39.29	39.40	39.02	39.30	0.78	0.83	0.50	0.53

(a) Private employees only. Excludes managerial, executive, professional and higher supervisory staff, whether or not their hours of work were known, and all other employees whose hours of work were not known. For definitions and particulars of coverage of the surveys, etc., see pages 86-87. (b) Excludes Northern Territory and Australian Capital Territory. (c) Last pay-periods in October. (d) Includes Community and business services; Amusement, hotels, cafés, personal service, etc.: Electricity, gas, water and sanitary services; and Forestry, fishing and trapping. (e) Excludes Rural industry, and Private domestic service.

(vi) *Average Earnings and Hours, Industry Groups—States—(a) Male and Female Employees, October, 1964.*—In the following table average weekly earnings, average weekly hours paid for, and average hourly earnings are shown for male and female employees for the last pay-period in October, 1964.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
INDUSTRY GROUPS—STATES, OCTOBER, 1964.(b)**

State	Average Weekly Earnings (\$)					Average Weekly Hours Paid For					Average Hourly Earnings (\$)				
	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)
	Founding, Engineering, Vehicles, etc.,	Other	Total			Founding, Engineering, Vehicles, etc.,	Other	Total			Founding, Engineering, Vehicles, etc.,	Other	Total		
ADULT MALES.															
New South Wales	57.03	55.36	56.27	57.38	56.72	43.92	42.76	43.39	41.96	42.82	1.30	1.29	1.30	1.37	1.32
Victoria	56.59	55.03	55.74	55.87	55.79	44.03	43.13	43.54	41.84	42.91	1.29	1.28	1.28	1.34	1.30
Queensland	50.71	51.44	51.21	53.41	52.33	43.38	44.04	43.83	42.37	43.09	1.17	1.17	1.17	1.26	1.21
South Australia	55.49	51.06	54.05	52.77	53.57	44.26	42.31	43.63	42.47	43.20	1.25	1.21	1.24	1.24	1.24
Western Australia	48.20	48.14	48.16	51.12	49.85	42.64	42.64	42.64	41.86	42.20	1.13	1.13	1.13	1.22	1.18
Tasmania	59.16	50.26	53.40	51.08	52.44	42.99	41.92	42.29	40.76	41.65	1.38	1.20	1.26	1.25	1.26
Australia(d)	56.13	53.95	55.04	55.40	55.18	43.91	42.97	43.44	41.98	42.84	1.28	1.26	1.27	1.32	1.29
JUNIOR MALES.															
New South Wales	28.84	27.17	29.11	26.15	27.17	41.74	41.55	41.65	39.89	40.81	0.69	0.65	0.67	0.66	0.67
Victoria	27.35	26.50	26.87	26.63	26.75	41.99	41.12	41.50	40.05	40.77	0.65	0.64	0.65	0.67	0.66
Queensland	24.10	23.45	23.72	24.98	24.37	42.37	40.52	41.29	40.55	40.91	0.57	0.58	0.57	0.62	0.60
South Australia	25.59	24.33	25.09	24.51	24.79	42.27	41.59	42.00	39.86	40.90	0.61	0.59	0.60	0.61	0.61
Western Australia	20.50	22.12	21.43	21.40	21.42	40.55	41.16	40.90	40.64	40.75	0.51	0.54	0.52	0.53	0.53
Tasmania	23.74	26.25	25.35	23.72	24.36	39.37	40.74	40.25	39.97	40.08	0.60	0.64	0.63	0.59	0.61
Australia(d)	27.04	25.77	26.41	25.41	25.91	41.80	41.22	41.51	40.09	40.79	0.65	0.63	0.64	0.63	0.64

For footnotes see next page.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
INDUSTRY GROUPS—STATES, OCTOBER, 1964(b)—continued.**

State	Average Weekly Earnings (\$)					Average Weekly Hours Paid For					Average Hourly Earnings (\$)				
	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)
	Founding, Engineering, Vehicles, etc.	Other	Total			Founding, Engineering, Vehicles, etc.	Other	Total			Founding, Engineering, Vehicles, etc.	Other	Total		
6															
ADULT FEMALES.															
New South Wales	*	*	32.12	35.15	33.35	*	*	39.53	38.71	39.19	*	*	0.81	0.91	0.85
Victoria	*	*	31.71	34.20	32.55	*	*	39.78	38.79	39.45	*	*	0.80	0.88	0.83
Queensland	*	*	29.51	31.58	30.94	*	*	39.64	39.71	39.69	*	*	0.74	0.80	0.78
South Australia	*	*	30.54	31.44	31.05	*	*	40.34	39.74	40.00	*	*	0.76	0.79	0.78
Western Australia	*	*	28.87	31.08	30.48	*	*	39.32	39.81	39.68	*	*	0.73	0.78	0.77
Tasmania	*	*	29.94	31.31	30.58	*	*	38.80	39.29	39.03	*	*	0.77	0.80	0.78
Australia(d)	31.60	31.68	31.66	33.74	32.55	39.67	39.67	39.67	39.04	39.40	0.80	0.80	0.80	0.86	0.83
JUNIOR FEMALES.															
New South Wales	*	*	21.08	22.63	22.04	*	*	39.41	39.03	39.18	*	*	0.53	0.58	0.56
Victoria	*	*	21.21	22.04	21.69	*	*	39.58	38.76	39.10	*	*	0.54	0.57	0.55
Queensland	*	*	17.26	19.85	19.09	*	*	39.96	39.67	39.75	*	*	0.43	0.50	0.48
South Australia	*	*	19.03	20.59	20.09	*	*	39.68	39.32	39.43	*	*	0.48	0.52	0.51
Western Australia	*	*	16.83	17.64	17.42	*	*	39.46	39.57	39.54	*	*	0.43	0.45	0.44
Tasmania	*	*	20.97	18.79	19.38	*	*	39.07	39.91	39.69	*	*	0.54	0.47	0.49
Australia(d)	22.14	19.87	20.28	21.27	20.91	39.57	39.53	39.54	39.17	39.30	0.56	0.50	0.51	0.54	0.53

(a) Private employees only. Excludes managerial, executive, professional and higher supervisory staff, whether or not their hours of work were known, and all other employees whose hours of work were not known. For definitions and particulars of coverage of the survey, etc., see pages 86-87. (b) Last pay-period in October, 1964. (c) Excludes Rural industry, and Private domestic service. (d) Excludes Northern Territory and Australian Capital Territory.

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

(b) *Male Employees.—October, 1963 and October, 1964.*—The table below shows average weekly earnings, average weekly hours paid for, and average hourly earnings for male employees for the last pay-periods in October, 1963, and October, 1964.

AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—INDUSTRY GROUPS AND STATES.

MALE EMPLOYEES—OCTOBER, 1963 AND OCTOBER, 1964.(b)

State	Average Weekly Earnings (\$)					Average Weekly Hours Paid For					Average Hourly Earnings (\$)				
	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)
	Founding Engineering, Vehicles, etc.	Other	Total			Founding Engineering, Vehicles, etc.	Other	Total			Founding Engineering, Vehicles, etc.	Other	Total		
ADULT MALES—OCTOBER, 1963.(b)															
New South Wales	52.52	51.83	52.20	53.51	52.73	42.44	42.27	42.36	41.71	42.10	1.24	1.23	1.23	1.28	1.25
Victoria	52.66	51.05	51.75	51.56	51.68	44.11	43.05	43.51	41.52	42.76	1.19	1.19	1.19	1.24	1.21
Queensland	47.87	46.96	47.24	49.72	48.54	43.44	42.91	43.08	41.32	42.15	1.10	1.09	1.10	1.20	1.15
South Australia	51.16	47.14	49.71	48.58	49.26	43.51	42.34	43.09	42.11	42.69	1.18	1.11	1.15	1.15	1.15
Western Australia	45.30	44.13	44.53	49.03	47.15	41.41	41.10	41.20	41.61	41.44	1.09	1.07	1.08	1.18	1.14
Tasmania	54.66	46.63	49.52	48.20	48.95	41.96	41.29	41.53	41.24	41.41	1.30	1.13	1.19	1.17	1.18
Australia(d)	51.97	50.12	51.01	51.54	51.23	43.08	42.53	42.79	41.62	42.30	1.21	1.18	1.19	1.24	1.21
ADULT MALES—OCTOBER, 1964.(b)															
New South Wales	57.01	55.36	56.27	57.38	56.72	43.92	42.76	43.39	41.96	42.82	1.30	1.29	1.30	1.37	1.32
Victoria	56.59	55.03	55.74	55.87	55.79	44.03	43.13	43.54	41.84	42.91	1.29	1.28	1.28	1.34	1.30
Queensland	50.71	51.44	51.21	53.41	52.33	43.38	44.04	43.83	42.37	43.09	1.17	1.17	1.17	1.26	1.21
South Australia	55.49	51.06	54.05	52.77	53.57	44.26	42.31	43.63	42.47	43.20	1.25	1.21	1.24	1.24	1.24
Western Australia	48.20	48.14	48.16	51.12	49.85	42.64	42.64	42.64	41.86	42.20	1.13	1.13	1.13	1.22	1.18
Tasmania	59.16	50.26	53.40	51.08	52.44	42.99	41.92	42.29	40.76	41.65	1.38	1.20	1.26	1.25	1.26
Australia(d)	56.13	53.95	55.04	55.40	55.18	43.91	42.97	43.44	41.98	42.84	1.28	1.26	1.27	1.32	1.29

For footnotes see next page.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN^(a)—
INDUSTRY GROUPS AND STATES.**

MALE EMPLOYEES—OCTOBER, 1963 AND OCTOBER, 1964^(b)—continued.

State	Average Weekly Earnings (\$)					Average Weekly Hours Paid For					Average Hourly Earnings (\$)				
	Manufacturing			Non-manu- facturing	All In- dustry Groups (c)	Manufacturing			Non-manu- facturing	All In- dustry Groups (c)	Manufacturing			Non-manu- facturing	All In- dustry Groups (c)
	Found- ing, Engi- neering, Vehicles, etc.	Other	Total			Found- ing, Engi- neering, Vehicles, etc.	Other	Total			Found- ing, Engi- neering, Vehicles, etc.	Other	Total		
JUNIOR MALES—OCTOBER, 1963.^(b)															
New South Wales	24.85	24.82	24.84	24.22	24.55	40.97	40.62	40.81	39.92	40.40	0.61	0.61	0.61	0.61	0.61
Victoria	23.47	24.30	23.95	23.38	23.67	41.84	41.06	41.39	39.68	40.56	0.56	0.59	0.58	0.59	0.58
Queensland	20.86	23.15	22.19	22.85	22.52	42.22	41.13	41.59	39.82	40.69	0.49	0.56	0.53	0.57	0.55
South Australia	22.38	21.15	21.83	23.08	22.50	41.88	41.65	41.78	40.66	41.18	0.53	0.51	0.52	0.57	0.55
Western Australia	20.07	20.15	20.12	21.14	20.71	39.80	39.67	39.72	40.92	40.42	0.50	0.51	0.51	0.52	0.51
Tasmania	23.42	23.24	23.30	22.23	22.66	40.91	40.06	40.34	40.09	40.19	0.57	0.58	0.58	0.55	0.56
Australia ^(d)	23.55	23.72	23.64	23.33	23.48	41.33	40.80	41.06	40.03	40.55	0.57	0.58	0.58	0.58	0.58
JUNIOR MALES—OCTOBER, 1964.^(b)															
New South Wales	28.84	27.17	28.11	26.15	27.17	41.74	41.55	41.65	39.89	40.81	0.69	0.65	0.67	0.66	0.67
Victoria	27.35	26.50	26.87	26.63	26.75	41.99	41.12	41.50	40.05	40.77	0.65	0.64	0.65	0.67	0.66
Queensland	24.10	23.45	23.72	24.98	24.37	42.37	40.52	41.29	40.55	40.91	0.57	0.58	0.57	0.62	0.60
South Australia	25.59	24.33	25.09	24.51	24.79	42.27	41.59	42.00	39.86	40.90	0.61	0.59	0.60	0.61	0.61
Western Australia	20.50	22.12	21.43	21.40	21.42	40.55	41.16	40.90	40.64	40.75	0.51	0.54	0.52	0.53	0.53
Tasmania	23.74	26.25	25.35	23.72	24.36	39.37	40.74	40.25	39.97	40.08	0.60	0.64	0.63	0.59	0.61
Australia ^(d)	27.04	25.77	26.41	25.41	25.91	41.80	41.22	41.51	40.09	40.79	0.65	0.63	0.64	0.63	0.64

(a) Private employees only. Excludes managerial, executive, professional and higher supervisory staff, whether or not their hours of work were known, and all other employees whose hours of work were not known. For definitions and particulars of coverage of the surveys, etc., see pages 86-87. (b) Last pay-periods in October. (c) Excludes Rural industry, and Private domestic service. (d) Excludes Northern Territory and Australian Capital Territory.

(c) *Female Employees.—October, 1963 and October, 1964.*—The following table shows the average weekly earnings, average weekly hours paid for, and average hourly earnings for the last pay-periods in October, 1963, and October, 1964, for female employees.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
INDUSTRY GROUPS—STATES.**

FEMALE EMPLOYEES—OCTOBER, 1963 AND OCTOBER, 1964.(b)

State	Average Weekly Earnings (\$)					Average Weekly Hours Paid For					Average Hourly Earnings (\$)				
	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)	Manufacturing			Non-manufacturing	All Industry Groups (c)
	Founding, Engineering, Vehicles, etc.	Other	Total			Founding, Engineering, Vehicles, etc.	Other	Total			Founding, Engineering, Vehicles, etc.	Other	Total		
ADULT FEMALES—OCTOBER, 1963.(h)															
New South Wales	*	*	30.44	32.99	31.53	*	*	39.33	38.58	39.01	*	*	0.77	0.86	0.81
Victoria	*	*	29.35	31.91	30.25	*	*	39.66	38.93	39.40	*	*	0.74	0.82	0.77
Queensland	*	*	27.99	29.86	29.27	*	*	39.67	39.45	39.52	*	*	0.71	0.76	0.74
South Australia	*	*	27.79	29.03	28.49	*	*	40.11	39.90	39.99	*	*	0.69	0.73	0.71
Western Australia	*	*	27.55	30.26	29.55	*	*	39.03	39.74	39.55	*	*	0.71	0.76	0.75
Tasmania	*	*	29.08	29.05	29.07	*	*	39.12	39.25	39.19	*	*	0.74	0.74	0.74
Australia(d)	29.80	29.59	29.64	31.68	30.54	39.77	39.44	39.52	38.99	39.29	0.75	0.75	0.75	0.81	0.78
ADULT FEMALES—OCTOBER, 1964.(b)															
New South Wales	*	*	32.12	35.15	33.35	*	*	39.53	38.71	39.19	*	*	0.81	0.91	0.85
Victoria	*	*	31.71	34.20	32.55	*	*	39.78	38.79	39.45	*	*	0.80	0.88	0.83
Queensland	*	*	29.51	31.58	30.94	*	*	39.64	39.71	39.69	*	*	0.74	0.80	0.78
South Australia	*	*	30.54	31.44	31.05	*	*	40.34	39.74	40.00	*	*	0.76	0.79	0.78
Western Australia	*	*	28.87	31.08	30.48	*	*	39.32	39.81	39.68	*	*	0.73	0.78	0.77
Tasmania	*	*	29.94	31.31	30.58	*	*	38.80	39.29	39.03	*	*	0.77	0.80	0.78
Australia(d)	31.60	31.68	31.66	33.74	32.55	39.67	39.67	39.67	39.04	39.40	0.80	0.80	0.80	0.86	0.83

For footnotes see next page.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
INDUSTRY GROUPS—STATES.**

FEMALE EMPLOYEES—OCTOBER, 1963 AND OCTOBER, 1964(b)—continued.

State	Average Weekly Earnings (\$)					Average Weekly Hours Paid For					Average Hourly Earnings (\$)				
	Manufacturing			Non-manu- fac- turing	All In- dustry Groups (c)	Manufacturing			Non-manu- fac- turing	All In- dustry Groups (c)	Manufacturing			Non-manu- fac- turing	All In- dustry Groups (c)
	Found- ing, Engi- neering, Vehicles, etc.	Other	Total			Found- ing, Engi- neering, Vehicles, etc.	Other	Total			Found- ing, Engi- neering, Vehicles, etc.	Other	Total		
JUNIOR FEMALES—OCTOBER, 1963.(b)															
New South Wales	*	*	19.58	21.21	20.59	*	*	39.19	38.69	38.88	*	*	0.50	0.55	0.53
Victoria	*	*	18.89	20.04	19.55	*	*	39.06	38.52	38.75	*	*	0.48	0.52	0.50
Queensland	*	*	16.46	18.49	17.86	*	*	39.50	39.14	39.25	*	*	0.42	0.47	0.46
South Australia	*	*	16.81	18.84	18.16	*	*	39.53	39.21	39.32	*	*	0.43	0.48	0.46
Western Australia	*	*	16.42	17.42	17.17	*	*	40.04	39.84	39.89	*	*	0.41	0.44	0.43
Tasmania	*	*	19.56	17.81	18.37	*	*	38.62	39.33	39.10	*	*	0.51	0.45	0.47
Australia(d)	20.31	18.26	18.61	19.82	19.37	39.64	39.17	39.25	38.89	39.02	0.51	0.47	0.47	0.51	0.50
JUNIOR FEMALES—OCTOBER, 1964.(b)															
New South Wales	*	*	21.08	22.63	22.04	*	*	39.41	39.03	39.18	*	*	0.53	0.58	0.56
Victoria	*	*	21.21	22.04	21.69	*	*	39.58	38.76	39.10	*	*	0.54	0.57	0.55
Queensland	*	*	17.26	19.85	19.09	*	*	39.96	39.67	39.75	*	*	0.43	0.50	0.48
South Australia	*	*	19.03	20.59	20.09	*	*	39.68	39.32	39.43	*	*	0.48	0.52	0.51
Western Australia	*	*	16.83	17.64	17.42	*	*	39.46	39.57	39.54	*	*	0.43	0.45	0.44
Tasmania	*	*	20.97	18.79	19.38	*	*	39.07	39.91	39.69	*	*	0.54	0.47	0.49
Australia(d)	22.14	19.87	20.28	21.27	20.91	39.57	39.53	39.54	39.17	39.30	0.56	0.50	0.51	0.54	0.53

(a) Private employees only. Excludes managerial, executive, professional and higher supervisory staff, whether or not their hours of work were known, and all other employees whose hours of work were not known. For definitions and particulars of coverage of the surveys, etc., see pages 86-87. (b) Last pay-periods in October. (c) Excludes Rural industry, and Private domestic service. (d) Excludes Northern Territory and Australian Capital Territory.

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

(vii) *Average Earnings and Hours, All Industry Groups.—States.*—The following table shows average weekly earnings, average weekly hours paid for, and average hourly earnings in the last pay-period in October in the years 1962, 1963 and 1964 for all industry groups in each State.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN(a)—
ALL INDUSTRY GROUPS(b)—STATES: OCTOBER, 1962, OCTOBER, 1963 AND OCTOBER, 1964.(c)**

State.	Average Weekly Earnings (\$).			Average Weekly Hours Paid For.			Average Hourly Earnings (\$).		
	October, 1962.	October, 1963.	October, 1964.	October, 1962.	October, 1963.	October, 1964.	October, 1962.	October, 1963.	October, 1964.
ADULT MALES.									
New South Wales	51.00	52.73	56.72	42.11	42.10	42.82	1.21	1.25	1.32
Victoria	49.70	51.68	55.79	42.38	42.76	42.91	1.17	1.21	1.30
Queensland	46.16	48.54	52.33	42.06	42.15	43.09	1.10	1.15	1.21
South Australia	47.04	49.26	53.57	42.26	42.69	43.20	1.11	1.15	1.24
Western Australia	47.70	47.15	49.85	41.74	41.44	42.20	1.14	1.14	1.18
Tasmania	47.51	48.94	52.44	40.56	41.41	41.65	1.17	1.18	1.26
Australia(d)	49.44	51.23	55.18	42.13	42.30	42.84	1.17	1.21	1.29
JUNIOR MALES.									
New South Wales	24.17	24.55	27.17	40.18	40.40	40.81	0.60	0.61	0.67
Victoria	23.03	23.67	26.75	40.27	40.56	40.77	0.57	0.58	0.66
Queensland	21.75	22.52	24.37	40.21	40.69	40.91	0.54	0.55	0.60
South Australia	21.21	22.50	24.79	40.50	41.18	40.90	0.52	0.55	0.61
Western Australia	19.79	20.71	21.42	40.26	40.42	40.75	0.49	0.51	0.53
Tasmania	22.64	22.66	24.36	39.80	40.19	40.08	0.57	0.56	0.61
Australia(d)	22.91	23.48	25.91	40.23	40.55	40.79	0.57	0.58	0.64

For footnotes see next page.

**AVERAGE EARNINGS AND HOURS—EMPLOYEES (OTHER THAN PART-TIME) WHOSE HOURS OF WORK WERE KNOWN^(a)—
ALL INDUSTRY GROUPS^(b)—STATES: OCTOBER, 1962, OCTOBER, 1963 AND OCTOBER, 1964^(c)—continued.**

State.	Average Weekly Earnings (\$).			Average Weekly Hours Paid For.			Average Hourly Earnings (\$).		
	October, 1962.	October, 1963.	October, 1964.	October, 1962.	October, 1963.	October, 1964.	October, 1962.	October, 1963.	October, 1964.
ADULT FEMALES.									
New South Wales	30.81	31.53	33.35	38.89	39.01	39.19	0.79	0.81	0.85
Victoria	29.66	30.25	32.55	39.10	39.40	39.45	0.76	0.77	0.83
Queensland	28.55	29.27	30.94	39.55	39.52	39.69	0.72	0.74	0.78
South Australia	28.58	28.49	31.05	39.39	39.99	40.00	0.73	0.71	0.78
Western Australia	28.55	29.55	30.48	39.39	39.55	39.68	0.72	0.75	0.77
Tasmania	28.68	29.07	30.58	39.54	39.19	39.03	0.73	0.74	0.78
Australia ^(d)	29.95	30.54	32.55	39.08	39.39	39.40	0.77	0.78	0.83
JUNIOR FEMALES.									
New South Wales	19.97	20.59	22.04	39.20	38.88	39.18	0.51	0.53	0.56
Victoria	19.77	19.55	21.69	39.19	38.75	39.10	0.50	0.50	0.55
Queensland	17.85	17.86	19.09	39.65	39.25	39.75	0.45	0.46	0.48
South Australia	18.02	18.16	20.09	39.19	39.32	39.43	0.46	0.46	0.51
Western Australia	16.91	17.17	17.42	39.43	39.89	39.54	0.43	0.43	0.44
Tasmania	17.84	18.37	19.38	39.42	39.10	39.69	0.45	0.47	0.49
Australia ^(d)	19.21	19.37	20.91	39.27	39.02	39.30	0.49	0.50	0.53

^(a) Private employees only. Excludes managerial, executive, professional and higher supervisory staff, whether or not their hours of work were known, and all other employees whose hours of work were not known. For definitions and particulars of the coverage of the surveys, etc., see pages 86-87. ^(b) Excludes Rural industry, and Private domestic service. ^(c) Last pay-periods in October. ^(d) Excludes Northern Territory and Australian Capital Territory.

§ 5. Basic Wages in Australia. -

1. **The Basic Wage.**—The concept of a “basic” or “living” wage is common to rates of wage determined by industrial authorities in Australia. Initially the concept was interpreted as the “minimum” or “basic” wage necessary to maintain an average employee and his family in a reasonable state of comfort. However, it is now generally accepted “that the wage should be fixed at the highest amount which the economy can sustain and that the ‘dominant factor’ is the capacity of the community to carry the resultant wage levels”.*

Under the Commonwealth Conciliation and Arbitration Act, the Commonwealth Conciliation and Arbitration Commission (prior to June, 1956, the Commonwealth Court of Conciliation and Arbitration) may, for the purpose of preventing or settling an industrial dispute extending beyond the limits of any State, make an order or award altering the basic wage (that is to say, that wage, or that part of a wage, which is just and reasonable, without regard to any circumstance pertaining to the work upon which, or the industry in which, the person is employed) or the principles upon which it is computed. In practice, the Commonwealth Conciliation and Arbitration Commission holds general basic wage inquiries from time to time and its findings apply to industrial awards within its jurisdiction.

In New South Wales and South Australia the State industrial authorities adopt the relevant Commonwealth basic wage. In Victoria and Tasmania, where Wages Boards operate, no provision is included in the industrial Acts for the declaration of a basic wage, although Wages Boards generally adopt Commonwealth basic wages. In Queensland and Western Australia the determination of a basic wage is a function of the respective State Industrial or Arbitration Courts. Details of basic wage determination in each State are set out in para. 5 (page 135). (*See also* Sections IX and X of the Appendix for tables containing basic wage rates for adult males and adult females in Commonwealth and State jurisdictions.)

In addition to the basic wage, “secondary” wage payments, including margins for skill, loadings and other special considerations peculiar to the occupation or industry, are determined by these authorities. The basic wage and the “secondary” wage, where prescribed, make up the “minimum” wage for a particular occupation. The term minimum wage (as distinct from the basic wage) is used currently to express the lowest rate payable for a particular occupation or industry.

In § 1 of this chapter (pages 47–52) particulars are given of the current Commonwealth and State industrial Acts and the industrial authorities established by these Acts. The powers of these authorities include the determination and variation of basic wage rates.

2. **The Commonwealth Basic Wage.**—(i) *Early Judgments.* The principle of a living or basic wage was propounded as far back as 1890 by Sir Samuel Griffith, Premier of Queensland, but it was not until the year 1907 that a wage, as such, was declared by a Court in Australia. The declaration was made by way of an order in terms of section 2 (d) of the *Excise Tariff* 1906 in the matter of an application by H. V. McKay that the remuneration of labour employed by him at the Sunshine Harvester Works, Victoria, was “fair and reasonable”.

* *Commonwealth Arbitration Reports*, Vol. 77 p. 494.

Mr. Justice Higgins, President of the Commonwealth Court of Conciliation and Arbitration, discussed at length the meaning of "fair and reasonable", and defined the standard of a "fair and reasonable" minimum wage for unskilled labourers as that appropriate to "the normal needs of the average employee, regarded as a human being living in a civilized community",* The rate declared by the President in his judgment (known as the "Harvester Judgment") was 7s. (70c) a day or £2 2s. (\$4.20) a week for Melbourne, the amount considered reasonable for "a family of about five". (For information then available on the average number of dependent children per family, see Labour Report No. 41, footnote, page 73.)

The "Harvester" standard was adopted by the Commonwealth Court of Conciliation and Arbitration for incorporation in its awards, and practically the same rates continued until the year 1913, when the Court took cognizance of the retail price index numbers, covering food and groceries and rent of all houses ("A" Series) for the 30 more important towns of Australia, which had been published by the Commonwealth Statistician for the first time in the preceding year. The basic wage rates for towns were thereafter varied in accordance with the respective retail price index numbers. Court practice was to equate the retail price index number 875 for Melbourne for the year 1907 to the "Harvester" rate of 42s. (\$4.20) a week (or the base of the index [1,000] to 48s. [\$4.80] a week). At intervals thereafter, as awards came before it for review, the Court usually revised the basic wage rate of the award in proportion to variations in the retail price index. In some country towns certain "loadings" were added by the Court to wage rates so derived to offset the effect of lower housing standards, and consequently lower rents, on the index numbers for these towns.

During the period of its operation, the adequacy of the "Harvester" standard was the subject of much discussion, the author of the judgment himself urging on several occasions the need for its review. During the period of rapidly rising prices towards the end of the 1914-18 War, strong criticism developed that this system did not adequately maintain the "Harvester" equivalents. A Royal Commission was appointed in 1919 to inquire what it would actually cost a man, wife and three children under fourteen years of age to live in a reasonable standard of comfort, and how the basic wage might be automatically adjusted to maintain purchasing power. The Commission's Reports were presented in November, 1920 and April, 1921. An application by the unions to have the amounts arrived at by the inquiry declared as basic wage rates was not accepted by the Court because they were considerably in advance of existing rates and grave doubts were expressed by members of the Court as to the ability of industry to pay such rates. Further details of the recommendations of the Commission were published in Labour Report No. 41, page 102.

The system of making automatic quarterly adjustments to the basic wage in direct ratio to variations in the retail price index ("A" Series) was introduced in 1921. The practice then adopted was to calculate the adjustments to the basic wage quarterly on the index number for the preceding quarter.

* *Commonwealth Arbitration Reports*, Vol 2, p. 3

Previously adjustments had been made sporadically in relation to retail price indexes for the previous calendar year or the year ended with the preceding quarter. The new method would have resulted in a basic wage lower than that to which employees would have been entitled had the previous practice been continued, and in 1922* the Court added to the basic wage a general loading of 3s. (30c) (known as the "Powers 3s."), "a sum . . . which did, to the extent of 3s. [30c] per week, relieve the employees from the detrimental effect so far as they were concerned of the change which the Court was then making in its method of fixing the basic wage."† This loading continued until 1934. The practice adopted by the Commonwealth Court in 1921 of making automatic quarterly adjustments continued until the Court's judgment of 12th September, 1953. (See page 104.)

For a description of the several series of retail price indexes referred to in these paragraphs see pages 5-6.

(ii) *Basic Wage Inquiries, 1930-31, 1932, 1933.* No change was made in the method of fixation and adjustment of the basic wage until the onset of the depression, which began to be felt severely during 1930. Applications were then made to the Court for some greater measure of reduction of wages than that which resulted from the automatic adjustments due to falling retail prices. The Court held a general inquiry, and, while declining to make any change in the existing method of calculating the basic wage, reduced all wage rates under its jurisdiction by 10 per cent. from 1st February, 1931.‡ In June, 1932, the Court refused applications by employee organizations for the cancellation of the 10 per cent. reduction in wage rates.§ In May, 1933, the Court again refused to cancel the 10 per cent. reduction in wage rates, but decided that the existing method of adjustment of the basic wage in accordance with the "A" Series retail price index number had resulted in some instances in a reduction of more than 10 per cent. In order to rectify this the Court adopted the "D" Series of retail price index numbers for future quarterly adjustments of the basic wage.|| For further particulars see Labour Report No. 22, pages 45-48 and Labour Report No. 23, pages 45-46.

(iii) *Basic Wage Inquiry, 1934.* The "Harvester" standard, adjusted to retail price variations, continued to be the theoretical basis of the basic wage of the Commonwealth Court until the Court's judgment, delivered on 17th April, 1934,¶ declared new basic wage rates to operate from 1st May, 1934. The new rates were declared on the basis of the respective "C" Series retail price index numbers for the various cities for the December quarter, 1933, and ranged from 61s. (\$6.10) for Brisbane to 67s. (\$6.70) for Sydney and Hobart, the average wage for the six capital cities being 65s. (\$6.50).

The 10 per cent. special reduction in wages referred to above ceased to operate upon the introduction of the new rates, and the automatic quarterly adjustment of the basic wage in accordance with variations in retail price index numbers was transferred from the "A" and the "D" Series to the "C" Series Retail Price Index. (For a description of the "A", "C" and "D" Series see page 5.) The base of the index (1,000) was taken by the Court as equal to 81s. (\$8.10) a week. The new basic wage for the six capital cities was the same as that previously paid under the "A" Series, without the "Powers 3s." and without the 10 per cent. reduction. For further particulars of the judgment in this inquiry see Labour Report No. 26, page 76.

* Commonwealth Arbitration Reports, Vol. 16, p. 32. † Ibid., p. 841. ‡ 30 C.A.R., p. 2.
§ 31 C.A.R., p. 305. || 32 C.A.R., p. 90. ¶ 33 C.A.R., p. 144.

(iv) *Basic Wage Inquiry, 1937.* In May and June, 1937, the Commonwealth Court heard an application by the combined unions for an increase in the basic wage. The unions asked that the equivalent of the base (1,000) of the "C" Series index be increased from 81s. (\$8.10) to 93s. (\$9.30), which on index numbers then current would have represented an average increase of about 10s. (\$1) a week. The chief features of the judgment, delivered on 23rd June,* were: (a) Amounts were added to the basic wage not as an integral, and therefore adjustable, part of that wage, but as "loadings" additional to the rates payable under the 1934 judgment. The wage assessed on the 1934 basis was designated in the new judgment as the "needs" portion of the total resultant basic wage. These loadings, referred to as "Prosperity" loadings, were 6s. (60c) for Sydney, Melbourne and Brisbane; 4s. (40c) for Adelaide, Perth and Hobart; and 5s. (50c) for the six capitals basic wage. "Prosperity" loadings for the basic wage for provincial towns in each State, for combinations of towns and combinations of capital cities, and for railway, maritime and pastoral workers were also provided for in the judgment. (b) The minimum adjustment of the basic wage was fixed at 1s. (10c) a week instead of 2s. (20c). (c) The basis of the adjustment of the "needs" portion of the wage in accordance with the variations shown by retail price index numbers was transferred from the "C" Series to a special "Court" Series based upon the "C" Series. (See page 6.) (d) Rates for females and junior males were left for adjustment by individual judges when dealing with specific awards.

The main parts of the judgment were reprinted in Labour Report No. 28, pages 77-87.

(v) *Judgment, December, 1939.* The Commonwealth Court on 19th December, 1939, heard an application by trade unions for an alteration in the date of adjustment of the basic wage in accordance with the variations in the "Court" Series of index numbers. On the same day, the Court directed that such adjustments be made operative from the beginning of the first pay-period to commence in February, May, August or November, one month earlier than the then current practice.†

(vi) *Basic Wage Inquiry, 1940.* On 5th August, 1940, the Full Court commenced the hearing of an application by the combined unions for an increase in the existing basic wage by raising the value of 1,000 (the base of the "C" Series index upon which the "Court" Series was based) from 81s. (\$8.10) to 100s. (\$10.00) a week, and the incorporation of the existing "Prosperity" loadings in the new rate. In its judgment of 7th February, 1941‡ the Court unanimously refused to grant any increase, and decided that the application should not be dismissed but stood over for further consideration after 30th June, 1941. The application was refused mainly because of the uncertainty of the economic outlook.

Concerning the concept of a basic wage providing for the needs of a specific family unit, Chief Judge Beeby in his judgment stated:—"The Court has always conceded that the 'needs' of an average family should be kept in mind in fixing a basic wage. But it has never, as the result of its own inquiry, specifically declared what is an average family, or what is the cost of a regimen of food, clothing, shelter and miscellaneous items necessary to maintain it in frugal comfort, or that a basic wage should give effect to any such finding. In the end economic possibilities have always been the determining factor. . . . what should be sought is the independent ascertainment and prescription of the highest basic wage that can be sustained by the total of industry in all its primary, secondary and ancillary forms. . . . More than ever before wage fixation is controlled by the economic outlook."

* Commonwealth Arbitration Reports, Vol. 37, p. 583. † 41 C.A.R., p. 520. ‡ 44 C.A.R., p. 41.

The Chief Judge suggested that the basic wage should be graded according to family responsibilities and that, notwithstanding the increase in aggregate wages, a reapportionment of national income to those with more than one dependent child would be of advantage to the Commonwealth. The relief afforded to those who needed it would more than offset the inflationary tendency of provision for a comprehensive scheme of child endowment. If a scheme of this nature were established, future fixations of the basic wage would be greatly simplified. (The Commonwealth Child Endowment Act came into operation on 1st July, 1941. See § 10, Child Endowment in Australia).

(vii) "*Interim*" *Basic Wage Inquiry*, 1946. The Court, on 25th November, 1946, commenced the hearing of this case as the result of (a) an application made on 30th October, 1946 (during the course of the Standard Hours Case) by the Attorney-General of the Commonwealth for the restoration to the Full Court List of certain adjourned 1940 basic wage applications (see (vi) above); (b) a number of fresh cases which had come to the Court since 1941; and (c) an application by the Australian Council of Trade Unions on behalf of trade unions for an "interim" basic wage declaration.

In its judgment of 13th December, 1946,* the Court granted an increase of 7s. (70c) in the adjustable portion of the six capital cities basic wage, to operate from the beginning of the first pay-period commencing in the month of December, 1946, except in the case of casual and maritime workers, for whom the increases operated from 1st December.

For the purpose of automatic quarterly adjustments a new "Court" Series of index numbers designated "Court Index (Second Series)" was created by increasing the base index number (1923-27) from 81.0 to 87.0. The "Court" Series index number calculated on this base for the September quarter, 1946 effected an increase in the basic wage for the weighted average of the six capital cities from 93s. (\$9.30) to 100s. (\$10.00). A similar increase in the basic wage resulted for each capital city except Hobart, where the amount was 6s. (60c). All "loadings" on the basic wage were retained at their existing amounts unless otherwise ordered by the Court.

The wage rates for adult females and juveniles were to be increased proportionately to the increase granted to adult males, the amount of the increase being determined by the provisions in each award. For further particulars of the judgment see Labour Report No. 38, page 79.

(viii) *Basic Wage Inquiry*, 1949-50. This finalized the case begun in 1940 and continued in 1946 (see above). In 1946, during the hearing of the Standard Hours Inquiry and following the restoration to the Full Court List of applications for an increased basic wage, the Chief Judge ruled that the claim for an increase in the basic wage should be heard concurrently with the "40-hour week" claims then before the Court. The unions, however, objected to this course being followed, and, on appeal to the High Court, that Court in March, 1947, gave a decision which resulted in the Arbitration Court proceeding with the "Hours" Case to its conclusion.

The Basic Wage Inquiry, 1949-50, finally opened in February, 1949, and the general hearing of the unions' claims was commenced on 17th May, 1949. Separate judgments were delivered on 12th October, 1950;† in the judgments, which were in the nature of general declarations, a majority of the Court (Foster and Dunphy JJ.) was of the opinion that the basic wage for adult males should be increased by £1 (\$2) a week, and that for adult females should be 75 per cent. of the adult male rate. Kelly C.J., dissenting, considered that no increase in either the male or the female wage was justified.

* Commonwealth Arbitration Reports, Vol. 57, p. 603.

† 68 C.A.R., p. 698.

The Court, on 24th October and 17th and 23rd November, 1950, made further declarations concerning the "Prosperity" and other loadings. The "Prosperity" loading of 1937 (*see* page 102), which was being paid at rates of between 3s. (30c) and 6s. (60c) a week according to localities, was standardized at a uniform rate of 5s. (50c) a week for all localities and was declared to be an adjustable part of the basic wage, the "War" loadings were declared to be not part of the basic wage, and any other loading declared to be part of the basic wage ceased to be paid as a separate entity.

The new rates operated from the beginning of the first pay-period in December, 1950, in all cases being the rate based on the "Court" Index (Second Series) for the September quarter, 1950 plus a flat-rate addition of £1 (\$2), together with the standardized "Prosperity" loading of 5s. (50c). The declaration provided that the whole of the basic wage would be subject to automatic quarterly adjustments as from the beginning of the first pay-period commencing in February, 1951, on the basis of the index numbers for the December quarter, 1950. For this purpose the new rate of £8 2s. (\$16.20) was equated to the "C" Series retail price index number 1572 for the six capital cities (weighted average) for the September quarter, 1950. From this equation was derived a new "Court" Index (Third Series) with 103.0 equated to 1,000 in the "C" Series Index.

Further particulars of the judgment may be found in Labour Report No. 39, page 81.

(ix) *Basic Wage and Standard Hours Inquiry, 1952-53.* On 5th August, 1952, the Commonwealth Court of Conciliation and Arbitration began hearing claims by the Metal Trades Employers' Association and other employers' organizations that (a) the basic wage for adult males be reduced; (b) the basic wage for adult females be reduced; (c) the standard hours of work be increased; (d) the system of adjusting the basic wages in accordance with variations occurring in retail price index numbers be abandoned; and by the Metal Trades Federation, an association of employees' organizations, that the basic wage for adult males be increased. This would also have resulted in increasing the amount of the basic wage for adult females, though not the proportion it bore to the basic wage for adult males.

A number of governments, organizations and other bodies obtained leave to intervene and in this role the Australian Council of Trade Unions supported the claims of the Metal Trades Federation.

The decision of the Court, announced on 12th September, 1953,* was as follows—the employers' application for reduction of the basic wages for adult males and females and for an increase of the standard hours of work were refused; the employers' applications for omission or deletion of clauses or sub-clauses providing for the adjustment of basic wages were granted; the unions' applications for increases of basic wages were refused.

The Court in the course of its judgment said that nothing had been put before it during the inquiry in support of a departure from its well-established principle that the basic wage should be the highest that the capacity of the community as a whole could sustain. If the Court was at any time asked to fix a basic wage on a true needs basis, the question of whether such a method was correct in principle and all questions as to the size of the family unit remained open.

* Commonwealth Arbitration Reports, Vol. 77, p. 477.

In order to remove certain misconceptions about its function, the Court stated that it was neither a social nor an economic legislature, and that its function under section 25 of the Act was to prevent or settle specific industrial disputes. However, these must be settled upon terms which seem just to the Court, having regard to conditions which exist at the time of its decision.

The Court intimated that time would be saved in future inquiries if the parties to the disputes, in discussing the principle of the "capacity to pay", directed their attention to the broader aspects of the economy, as indicated by a study of employment, investment, production and productivity, oversea trade, oversea balances, the competitive position of secondary industry and retail trade.

For further particulars of the judgment *see* Labour Report No. 46, page 64.

(x) *Basic Wage Inquiry, 1956.* On 14th February, 1956, the Commonwealth Court of Conciliation and Arbitration commenced hearing an application for alteration of the basic wage in the following respects—namely, for an increase in the basic wage to the amount it would have reached if automatic quarterly adjustments deleted by the Court in September, 1953, had remained in force; an increase of a further £1 (\$2) in the basic wage; the re-introduction of automatic quarterly adjustments; and the abolition of what was known as the 3s. (30c) country differential. This application was regarded as a general application for variation of the basic wage in all awards of the Commonwealth Court of Conciliation and Arbitration.

All the claims made by the unions were opposed by the respondent employers. The Commonwealth Government appeared not as a party to the dispute, but in the public interest, and supplied much factual and statistical material in a review of the economy from 1953. However, the Commonwealth opposed the re-introduction of automatic adjustments. The States of New South Wales, Queensland, Western Australia and Tasmania supported the unions' claims for the re-establishment of the system of automatic adjustments and the raising of the basic wage to the levels indicated by current "C" Series index numbers, but the State of South Australia opposed these claims. The State of Victoria neither supported nor opposed the unions' claims.

The judgment was delivered on 26th May, 1956.* The Court rejected each claim made by the unions but decided to increase the adult male basic wage by 10s. (\$1) a week, payable from the beginning of the first pay-period in June. As a result of this decision, the basic wage for adult females was increased by 7s. 6d. (75c) a week with proportionate increases for juniors of both sexes and for apprentices.

For further details *see* Labour Report No. 46, page 67.

(xi) *Basic Wage Inquiry, 1956-57.* On 13th November, 1956, the Commonwealth Conciliation and Arbitration Commission in Presidential Session commenced to hear claims for alteration of the basic wage prescribed in the Metal Trades Award, as follows—for the increase of the basic wage to the amount it would have reached if there had remained in the award provisions for automatic quarterly adjustments, and for the re-insertion in the award of the provisions for automatic quarterly adjustments.† In accordance with past practice this application was treated by the Commission as a general application for alteration of the basic wage in all Federal awards.

* *Commonwealth Arbitration Reports*, Vol. 84, p. 158.

† 87 C.A.R., p. 439.

The unions' claims were opposed by the respondent employers. The Australian Council of Salaried and Professional Associations intervened in support of the applicant unions. Victoria and South Australia were the only States to appear before the Commission and the Commonwealth Government intervened in the public interest. Victoria neither supported nor opposed the application by the unions. South Australia opposed the unions' claims and suggested that, if an increase in the basic wage were granted, the Commission should decide on the increase to be added to the six capitals basic wage and then apportion that increase amongst the six capital cities on a basis accurately reflecting the differences in their cost of living. The Commonwealth opposed the restoration of the automatic adjustment system, whatever index was used for this purpose.

Judgment was delivered on 29th April, 1957.* The Commission, having considered all aspects of the state of the economy, decided that the basic wages in Federal awards should be increased and that the increase to the six capital cities basic wage should be 10s. (\$1) a week for adult males, to come into effect from the first pay-period to commence on or after 15th May, 1957. The Commission also decided that this increase would be uniform for all basic wage rates. The basic wage for adult females was increased by 7s. 6d. (75c) with proportionate increases for juniors of both sexes and for apprentices. The claim for restoration of automatic quarterly adjustments was refused. The Commission advised that it approved an annual review of the basic wage and would be available for this purpose in February, 1958. However, although favouring an annual review of the basic wage, the Commission considered that "it would not be proper for it nor would it wish to curtail the existing right of disputants to make an application at whatever time they think it necessary to do so".†

A more detailed summary of the judgment may be found in Labour Report No. 46, page 68.

(xii) *Basic Wage Inquiry, 1958.* On 18th February, 1958, the Conciliation and Arbitration Commission in Presidential Session commenced hearing an application by respondent unions for variation of the Metal Trades Award by increasing the amounts of basic wage prescribed therein to the figure each would have reached had the quarterly adjustment system based on the "C" Series retail price index numbers been retained, plus an addition of 10s. (\$1), and by making provision for future adjustment of each of the new amounts at quarterly intervals by the application thereto of the same index numbers.‡

The claims for the restoration of quarterly adjustments and for basic wage increases were opposed by private employers and by the State of South Australia, which also contended that, as the cost of living was much lower in Adelaide than in Melbourne and Sydney, greater disparities in basic wage rates than then existed should be determined if, against its submission, any general increase in the basic wage were decided upon. Tasmania, the only other State represented, made no submissions. The Commonwealth Government intervened in the public interest and leave to intervene was granted to the Professional Officers' Association of the Commonwealth Public Service, three other organizations of medical and scientific workers employed in the Commonwealth Public Service and the Australian Council of Salaried and Professional Associations.

* *Commonwealth Arbitration Reports*, Vol. 87, p. 439.

† *Ibid.*, p. 459.

‡ 89 C.A.R., p. 287.

The decisions of the Commission, delivered with its judgment on 12th May, 1958,* were as follows—the claim for restoration of automatic quarterly adjustments and the claim of the South Australian Government for special treatment were refused; and the basic wages of adult male employees covered by Federal awards were increased by a uniform amount of 5s. (50c) a week, to operate from the beginning of the first pay-period commencing on or after 21st May, 1958. The Commission indicated that the issues involved in inter-city differential wage rates were complex and could not be decided after a brief hearing.

The basic wage for adult females was increased to 75 per cent. of the new basic wage for adult males with proportionate increases for juniors and apprentices of both sexes.

For a more detailed summary of the judgment *see* Labour Report No. 49, pages 91-93.

(xiii) *Basic Wage Inquiry, 1959.* On 24th February, 1959, the Conciliation and Arbitration Commission, constituted in Presidential Session by Kirby C.J., Foster and Gallagher J.J., commenced hearing an application by respondent unions for variation of the Metal Trades Award by increasing the amounts of basic wage prescribed therein for respective cities, towns and localities to the figure each would have reached had the quarterly adjustment system based on the "C" Series retail price index numbers been retained, plus an addition of 10s. (\$1) to each basic wage and by making provision for future adjustment of each of the new amounts at quarterly intervals by the application thereto of the same index numbers.

A large number of applications for similar variation of other awards were ordered to be treated as involved in the inquiry and as such to be decided upon the evidence, material and submissions made from the beginning of the hearing.

The application of the unions was opposed by private employers generally, and by the State of South Australia and two of its instrumentalities. Tasmania was the only other State represented and it appeared in support of the application of the unions in regard to the increase of the basic wage to the amount it would have reached had the adjustment system been retained and the restoration of that system. The Commonwealth Government intervened and submitted that the application for restoration of the automatic adjustment system should be refused. The Commonwealth again supplied, for the benefit of the Commission and the parties, economic and statistical information and material and, in addition, without making a particular submission as to whether there should be an increase or its amount, made a general submission on the state of the national economy. The Australian Council of Salaried and Professional Associations was granted leave to intervene, and submissions were also presented on behalf of fixed income earners and pensioners generally.

The Graziers' Association of New South Wales and other organizations of employers in the pastoral industry asked the Commission to reduce the basic wage in the Pastoral Award, 1956, by £1 5s. (\$2.50), being the aggregate amount of the increases granted by the Court in 1956 and the Commission in 1957 and 1958. The Commission decided to join these applications in the main hearing as a matter of procedure only and without deciding affirmatively that the Commission as constituted for that hearing had power to grant them in whole or in part. On 5th May, 1959, at the conclusion of submissions in support of these applications and without calling upon the Australian Workers Union in reply, the Commission stated that it would reject the applications for reduction of the basic

* *Commonwealth Arbitration Reports*, Vol. 89, p. 285.

wage in the Pastoral Award and again indicated that the question of jurisdiction as to whether the Commission had the power to decide a different basic wage remained "undecided and open".

On 5th June, 1959, the three Judges delivered separate judgments.* On the question of whether the system of automatic quarterly adjustments should be restored the members of the Commission were divided in opinion and therefore the question was decided in accordance with the decision of the majority, (Kirby C.J. and Gallagher J.) that the system not be restored. Foster J. dissented.

The members of the Commission were unanimous in the opinion that there should be an increase in the basic wage, but as to the amount of the increase they were divided in opinion. The President, Kirby C.J., was of opinion that the increase should be 15s. (\$1.50) a week, payable as from the beginning of the first pay-period commencing on or after 11th June, 1959. Foster J. was of opinion that the increase should be 20s. (\$2) a week, payable as to 10s (\$1) as from the first pay-period in July, 1959, and as to the balance by increases of 2s. 6d. (25c) for four quarters commencing 1st January, 1960. Gallagher J. was of opinion that the increase should be 10s. (\$1) a week, payable as from the date chosen by the President. Foster J., while holding his opinion, decided to concur in the decision proposed by the President in order that the Commission might reach an effective decision.

A summary of the separate reasons for judgment will be found in Labour Report No. 49, pages 94-96.

(xiv) *Basic Wage Inquiry*, 1960. On 16th February, 1960, the Conciliation and Arbitration Commission, constituted in Presidential Session by Kirby C.J. (President), Ashburner and Moore J.J. (Deputy Presidents), commenced hearing an application by respondent unions for the restoration to the Metal Trades Award of quarterly adjustments to the basic wage and for an increase in the amount of the basic wage. On the six capital cities rate the amount of the increase sought was 22s. (\$2.20) a week. This amount was composed of two parts—firstly, an addition of 5s. (50c) a week to restore to the basic wage the same real value as it had in 1953 and, secondly, a further amount of 17s. (\$1.70) representing the unions' minimum estimate of the increase in productivity which had occurred in the period since the automatic adjustment system was abolished.

The Commonwealth Government intervened in the public interest and all States except New South Wales were represented. The Commonwealth Government again presented a detailed analysis of the economic situation of Australia, together with comments on fiscal and budgetary policy. It also announced its opposition to the unions' application both for restoration of automatic quarterly adjustments and for an increase in the basic wage.

The State of South Australia presented material to the Commission to show the effect which wage increases would have on its finances and opposed the unions' application. Victoria, Queensland and Western Australia presented information to show how the finances of those States would be affected by wage increases, but neither supported nor opposed the claims of the applicants. Tasmania indicated that it supported the application for restoration of quarterly adjustments but made no submissions in support of its attitude.

* *Commonwealth Arbitration Reports*, Vol. 91, p. 683.

In its judgment, delivered on 12th April, 1960,* the Commission refused the unions' application. A summary of the judgment was given in Labour Report No. 49, pages 97-101.

(xv) *Differential Basic Wage Inquiries*, 1960. On 9th August, 1960, the Commonwealth Conciliation and Arbitration Commission, constituted by Kirby C.J. (President), Ashburner and Moore J.J. (Deputy Presidents) commenced hearing the first of three applications to vary awards in respect of differential basic wages.

This was made by the Federated Engine Drivers and Firemen's Association, to eliminate from the Engine Drivers and Firemen's (General) Award, 1955, those differentials making the basic wage for country areas less than the metropolitan basic wage in New South Wales, Victoria and South Australia, and to alter a number of basic wages in Tasmania.

The other two, by the Metal Industries Association of South Australia and members of the South Australian Chamber of Manufactures Incorporated and the South Australian Employers' Federation, sought to vary the Metal Trades Award, by providing, firstly, that upon any variation increasing the basic wage prescribed in the award for Sydney, the increase in the basic wage for Adelaide should be 25 per cent. less than the increase in that for Sydney until the ratio of the Adelaide to the Sydney rate was reduced to 90 per cent.; and secondly, that any increase in the basic wage for areas of South Australia other than Adelaide, Whyalla and Iron Knob should in the future be 25 per cent. less than the increase for Adelaide, until the "country differential" was increased to 12s. (\$1.20).

The three cases were treated as matters of general application.

It became apparent to the Commission during the first case that it could not in fairness to all parties give a decision until all three cases had been heard. It therefore refrained from giving a decision in the first case until the conclusion of the other two, which were heard together.

In the judgment delivered on 14th December, 1960,† the Commission granted the unions' application for elimination of the 3s. (30c) country differential, and dismissed the two applications by the employers.

Joint reasons for these decisions were given on 1st March, 1961. A summary was given in Labour Report No. 49, pages 101-104.

(xvi) *Basic Wage and Standard Hours Inquiry*, 1961. On 14th February, 1961, the Commonwealth Conciliation and Arbitration Commission, constituted by Kirby C.J. (President), Ashburner and Moore J.J. (Deputy Presidents), commenced hearing applications by employers and unions for variation of the Metal Trades Award. In the first application the employers sought to increase the number of ordinary working hours per week from 40 to 42, with a concomitant increase in weekly wages by an amount equivalent to two hours pay at ordinary rates, and to effect certain other consequential variations. In the second the unions applied for an increase in the basic wage on a six capital cities basis by the amount of 49s. (\$4.90) (which was amended during the hearing to 52s. (\$5.20) and for the re-introduction of automatic quarterly adjustments based on the "C" Series Retail Price Index. The amount claimed represented 27s. (\$2.70) (amended to 30s.—\$3) for cost of living increases since 1953 and 22s. (\$2.20) to reflect increases in productivity since that time. The applications were heard together.

* *Commonwealth Arbitration Reports*, Vol. 94, p. 314.

† 96 C.A.R., p. 573.

All States except New South Wales were represented at the hearing. South Australia made no submissions and called no evidence. Tasmania indicated its support for the unions' application for the restoration of automatic adjustments, plus an adjustment of the basic wage to the level indicated by the movement in the "C" Series Index, but presented no material. Victoria, Queensland and Western Australia neither supported nor opposed the application of the unions, but all presented some statistical information. Although the Commonwealth Government followed its usual practice of supplying, for the benefit of the Commission and the parties, certain economic and statistical material, it expressed no attitude other than its opposition to the re-introduction of quarterly adjustments.

In its judgment, delivered on 4th July, 1961,* the Commission made the following decisions.

- " 1. The employers' claim for an increase in the standard hours of work from forty to forty-two with a concomitant increase in the weekly wage equivalent to two hours' pay at ordinary rates is refused.
2. The unions' claim for restoration of automatic quarterly adjustments is refused.
3. The basic wages of adult male employees covered by federal awards will be increased by a uniform amount of 12s. [\$1.20] per week.
4. The new rates will come into effect from the beginning of the first pay-period commencing on or after 7th July instant subject to special cases.
5. For the specific reasons set out in the judgment we consider that in February next the only issue in regard to the basic wage should be why the money wages fixed as a result of our decision should not be adjusted in accordance with any change in the Consumer Price Index and for the purpose of deciding that issue the Order giving effect to the decisions hereby announced will also provide for the adjournment of the application of the unions for increase of the basic wages under the Metal Trades Award to Tuesday, 20th February, 1962, in Melbourne, when such submissions thereon as are desired to be made will be heard.
6. The decision regarding increases in basic wages is applicable to all the applications which have been ordered by the Commission to be joined for hearing and decision with the original application and those joined applications are stood over to a date after 20th February, 1962, to be fixed by the Commission."†

The Unions' Claims. In dealing with the unions' claims the Commission first discussed its own role and that of the Commonwealth and States.

In view of certain propositions put forward which seemed to be founded on the assumption that it had jurisdiction to deal with economic matters at large, the Commission once again set out the role and function of a federal arbitral tribunal in cases such as this. After citing what had been said in earlier judgments the Commission further stated:—"We are not national economic policy makers or planners. We are confined to the legislation under which we act, and, in particular, in basic wage cases we have the function of deciding only what is a just and reasonable basic wage. This does not mean, of course, that we have not to consider seriously the probable effects of our decision on the economy."‡

* *Commonwealth Arbitration Reports*, Vol. 97, p. 377.

† *Ibid.*, p. 378.

‡ *Ibid.*, pp. 380-1.

The question of what weight the Commission should give to the attitude and submissions of the Commonwealth Government was again raised. The Commission stated that it was not concerned with drawing inferences, as it had been asked to do, from the material presented, as to whether the Commonwealth had an attitude and as to what it might be. On this question of the Commonwealth's attitude the Commission further stated:—"Because of a suggestion made in this case that the mere fact that the Commonwealth adopted an attitude before the Commission would result in that attitude being accepted, we unfortunately consider it necessary to repeat what we have said in the past that this simply is not so. It has not been so in the past and will not be so in the future. We wish to make it clear that any opposition to or support of any claim by the Commonwealth will be treated on its merits".*

In claiming the re-introduction of automatic quarterly adjustments, the unions submitted, firstly, that the reasoning in each of the judgments of the Court and the Commission from 1952-53 to 1960 was wrong and that there was in none of them any proper reason for rejecting the principle of automatic quarterly adjustments; and secondly, that it was wrong for the Commission to fix a wage based on the capacity of the economy and not to provide some machinery which would ensure that the value of the wage was not subsequently eroded by price movements when prices increased.

The Commission considered it indisputable that at the time of its fixation the amount of a basic wage is both a money wage and a real wage, but the value of the real wage is altered by subsequent changes in price levels. The unions submitted that a real basic wage should be determined from time to time with some interval longer than one year between determinations, and that the real value of the basic wage between determinations should be maintained automatically by adjustment in accordance with a price index. Unless this were done the amount of goods and services that could be purchased by the basic wage would decline as prices rose.

The Commission was asked to assume that between basic wage fixations the capacity of the economy to maintain a basic wage would increase or remain constant. If capacity were to diminish, the unions argued that the Commission is of easy access and employers could seek corrective action. The Commission's duty was to fix a just and reasonable basic wage and the provision of automatic quarterly adjustments would ensure that this was done. Further, the provision of automatic adjustments would relieve the Commission of the necessity of annual reviews of the state of the economy. The unions claimed that it was not practicable for the Commission to make a proper assessment of the economy, including movements in productivity, every twelve months, and to give proper consideration to the fixation of a new real basic wage.

The Commission rejected the employers' argument that the unions were really asking it to return to a needs basic wage as distinct from a capacity basic wage.

It went on to consider the practical difficulty which would in the past have confronted both the Court and the Commission if they had attempted to ensure that a basic wage fixed by them could be properly maintained at its real level. The Commission stated:—" . . . the 'C' Series Index was over a period becoming suspect and the Court and the Commission could not have relied on it to achieve a proper result. The emergence of the Consumer Price Index, however, has removed that difficulty and we are therefore now able to seek to ensure that the basic wage which we fix should, subject to our supervision,

* *Commonwealth Arbitration Reports*, Vol. 97, p. 382.

maintain its real standard; in other words, that employees should, between fixations of the real basic wage and subject to our supervision, continue to be able to purchase the same amount of goods and services with the basic wage portion of their wage. We add that amongst other things the emergence of the Consumer Price Index has also enabled us to fix at this time a standard which, in our view, is more likely to be properly maintainable than recent past standards".*

Having reached the conclusion that the principle of the maintenance of the purchasing power of the basic wage could be adopted, the Commission found it unnecessary to deal with the first part of the unions' argument, as to the correctness or otherwise of earlier decisions.

After comparing the "C" Series Retail Price Index and the Consumer Price Index, the Commission said:—"In our view the material available demonstrates the superiority of the Consumer Price Index over the 'C' Series Retail Price Index. The former is an index recently constructed by the Commonwealth Statistician in order to give a proper and accurate up-to-date coverage of movements in retail prices. The latter index on a regimen constructed many years ago can no longer in our view be considered reliable for wage fixing purposes. We find the Consumer Price Index suitable under present circumstances for the maintenance of the purchasing power of the basic wage we will now fix".†

It was then necessary to consider the question of how movements in the Consumer Price Index could be used. In the 1959 and 1960 basic wage decisions the Commission had stated that an annual review of the basic wage was better than arbitrary adjustment by means of an index. However, with the publication of the Consumer Price Index, upon which greater reliance could be placed, what had been said in those two cases was no longer adequate. Nevertheless, the Commission was not prepared to return to a system whereby adjustment was purely automatic, because it thought that there should be some safeguard. Although the Consumer Price Index was preferred to the "C" Series Retail Price Index, it could not be assumed that this index would at all times so accurately measure movements in retail prices that the Commission would be prepared to apply its workings automatically to the basic wage.

In its judgment the Commission stated:—"We consider it desirable that the application of the Consumer Price Index should always be subject to control by the Commission and the Commission should be able to decide whether a particular increase or decrease in the figures as disclosed in the Consumer Price Index should be applied to the basic wage. Our present opinion is that this consideration of prices should take place annually. We will each year make the assumption that the effect of movements in the Consumer Price Index should be reflected in the basic wage unless we are persuaded to the contrary by those seeking to oppose the change. As the basis of our decision is the desirability of maintaining the value of the real wage based on the concept of national capacity, the appropriate matter for consideration would appear to be what should be the effect on the six capital cities basic wage of movements in the six capital cities index. The resulting figure will be applied to all federal basic wages.

"Since such a consideration of price movements is to take place annually the question remains whether the Commission should at the annual hearing continue to review all factors in the economy to decide whether or not to change the level of the real basic wage. It seems to us that once the question of

* *Commonwealth Arbitration Reports*, Vol. 97, p. 385.

† *Ibid.*, p. 386.

prices is dealt with otherwise a review of the economy generally and in particular of productivity increases could more properly take place at longer periods of time, say, every three or four years. This statement of our views does not, of course, preclude any party from seeking to exercise its right to come to the Commission more frequently than every three or four years to seek a change in the real basic wage but, except in unusual circumstances, we consider such a period a proper interval between reviews of this kind".*

The Commission concluded that the basic wage which it had fixed took into account increases in productivity up to June, 1960, and it therefore anticipated that a review of the real basic wage would not be necessary for some three years. The Commission went on:—"If our anticipation is correct, in the proceedings next year the only issue will be whether or not the money wage should be adjusted in accordance with any change in the Consumer Price Index. The onus will be on the party opposing such an alteration to show that it should not be made. If the price index has risen the unions may rely *prima facie* on that fact. It will then be for the employers to show that the increase in prices is of an exceptional character . . . so that it should not be reflected in a basic wage increase or that there is some special factor in the economy which would make it inadvisable to allow the increase".†

The Commission had felt in the past some difficulty in endeavouring to make a satisfactory assessment of the economy from the long-range point of view every twelve months, and this difficulty played its part in the Commission's attempt to confine short-term considerations to price movements and to allow a longer period of time between considerations of the long-term trends in the economy.

On the subject of departure from past practices, the Commission said:—"We consider it to be of importance that the Commission should not only consider itself open to depart from past practices when the occasion demands, but that it should make it quite clear that this will happen when the Commission, after due and careful consideration, considers it necessary. This concept is fundamental to our decision to depart from what has become the practice of having annual reviews of the basic wage in which the question of price increases is only one of a number of factors and is not given any special status."‡

Productivity. The unions claimed that there should be an increase of 22s. (\$2.20) a week in the basic wage, based on an estimated one per cent. per annum increase in productivity over the previous decade, and that since 1952-53 no proper allowance had been made in the amounts awarded for increases in productivity.

On this subject the Commission stated:—"The question of productivity has been mentioned from time to time in various judgments of the Commission and there is really no dispute between the parties that workers are entitled to their share of increases in productivity. The issues between the parties are whether productivity can be measured with reasonable accuracy and whether in fact through wage increases workers have received their share of increased productivity".‡

In evidence presented by the unions, productivity was calculated by taking the Gross National Product for a year, deflating it by a price index and dividing the figure corrected for prices by (a) population and (b) the total of wage and salary earners in civilian employment. On the basis of these calculations it

* Commonwealth Arbitration Reports, Vol. 97, p. 387.

† Ibid., p. 388.

‡ Ibid., p. 389.

was claimed that from 1952-53 to 1959-60 productivity had increased by about 2.6 per cent. per annum, "real" average earnings had increased by less than productivity, and the "real" basic wage had decreased. Counsel for the unions submitted that by taking one per cent. per annum the unions had clearly allowed for a safe margin of error.

In answer to this the employers produced a similar type of calculation, but one that used a different deflator and 1949-50 as the base year. On this basis it was claimed that the "real" basic wage had increased slightly more than productivity per person employed and some ten per cent. more than productivity measured on a population basis, and "real" average weekly earnings had increased more than the "real" basic wage.

After considering the various calculations which had been submitted the Commission concluded that 1952-53 was an abnormal year for the purpose of relevant comparison, and that 1949-50 was more satisfactory to take as a starting point. In the Commission's view it followed that the 1960 basic wage properly reflected increased productivity in so far as that could be approximately measured.

The employers claimed that the Commission should look at average weekly earnings as the true indicator of whether increases in productivity had been distributed to the work force, and that the only thing to be measured against productivity was what was in fact earned, and not the basic wage. In the Commission's view, the relevant consideration in fixing a basic wage was whether, if average weekly earnings properly reflected increased productivity but the basic wage did not, there was room for an increase in the basic wage based on the same increased productivity. In view of its finding that the 1960 basic wage did reflect increased productivity, the Commission concluded that it was unnecessary to decide the question on that occasion.

The Commission then reviewed in detail the indicators of the state of the economy. Having examined the problems bound up in the questions of excessive demand, wool, and the competitive position of secondary industry, and their interlocking with oversea trade and oversea reserves, the Commission considered that the economy had the capacity to sustain an increase of 12s. (\$1.20) in the basic wage and that that increase was the highest that could be sustained. This amount was sufficient to restore to the 1960 basic wage its purchasing power as measured by the Consumer Price Index.

Having decided that the most appropriate standard was that set by the basic wage of 1960, the Commission considered the standards of the seven basic wages of the previous ten years and the basic wage increases necessary to maintain those standards in 1961. It felt that the new basic wage combined in the result its conclusions on fundamental factors in a threefold way, because it was fixed at the highest amount the capacity of the economy allowed, it adopted as a standard that set by the basic wage of 1960, and it took account of productivity increases up to and including 1959-60.

Both the employers and the Commonwealth Government referred to the danger of inflation which might result from an increase in wages. However, the Commission pointed out that there was no legal reason why any increase in the basic wage should not be absorbed by over-award payments, although this might not be possible because of industrial pressure and scarcity of skilled labour. While the increase in wages granted would cause some increase in costs, the stimulation of demand would only restore it to the level of the previous year. The estimated increase of £60 million (\$120 million) a year in wages and salaries would add less than two per cent. to the annual wages bill.

The Employers' Claim. The employers' claim was for an increase in standard hours from forty to forty-two per week, with a concomitant increase in the weekly wage equivalent to two hours' pay at ordinary rates. This was to operate for four years, after which time weekly hours would revert to forty but the increased wage would remain. The Commission rejected arguments supporting this application, which stated that such a measure was called for by the balance of payments crisis, and that it would lead to increased productivity at stable prices and distribute more evenly the amount of overtime worked. The Commission did not think that the state of the economy was such that standard hours should be increased.

Employees on Lower Margins. During the course of the proceedings the President asked for submissions on the question of whether by prescription of the basic wage special consideration should or could be given to those employees who receive a margin above the basic wage of, say, £1 (\$2) a week or less. The Commission decided that even if it had jurisdiction it would not, as a matter of discretion, make a differential basic wage at that time.

Annual Leave Decision. The Commission rejected the view that the reasons given for not granting an increase in annual leave in 1960 should impel it to refuse an increase in the basic wage. The question of wages was more fundamental and more important to the worker than the question of leave, and reasons which might delay the granting of additional leave may not be of sufficient weight to delay a basic wage increase. Also, had an increase in annual leave been granted, the Commission might not have been able to grant the increase in wages.

(xvii) *Basic Wage Inquiry, 1962.* In accordance with decision No. 5 in the 1961 Inquiry (see page 110), the adjourned hearing was held on 20th February, 1962, before Kirby C.J., Ashburner and Moore JJ.

The unions submitted that, although the 1961 judgment represented a recognition of union claims as to the need to maintain the real value of the basic wage, it had not met in full the demands of the trade union movement. The unions intended to return to the Commission at the appropriate time to argue at length for the implementation of their policy as to the basic wage standard and the question of quarterly adjustment.

In the employers' submission, reference was made to the Commission's 1961 judgment as indicating a firm intention to confine argument in the current hearing to the quantum of any basic wage change and to exclude any re-examination of the Commission's departure from previously accepted principles. As the Consumer Price Index had shown practically no change between the March and December quarters of 1961, there could be no change in the basic wage. However, the employers' view was that in any hearing involving movement in the basic wage the parties must be free to discuss economic capacity to sustain the basic wage at any given level and the principles upon which it is computed.

The Commonwealth Government stated that at the proper time the Commonwealth would appear before the Commission to present argument as to the use of price indexes in basic wage fixation and other important issues raised by the 1961 judgment. However the matter might come before the Commission as a matter of procedure, when if circumstances called for the debate of any substantive issue, the Commonwealth would then be in a position to make further submissions.

The decision of the Commission was as follows:—

- “ 1. There will be no alteration in the amounts of the existing basic wages until further order of the Commission;
2. The application before the Commission is further adjourned until 19th February, 1963;
3. At such adjourned hearing the issues will be:
 - (a) The issue set out in paragraph 5 of the decisions of 4th July, 1961;
 - (b) Any issue which a party desires to raise and of which it has given notice to the Industrial Registrar, the other parties and to the Attorney-General by the 31st January, 1963;
4. The applications referred to in paragraph 6 of the decision of 4th July, 1961, are stood over to a date after the 19th February, 1963, to be fixed by the Commission with liberty to any of the parties to those applications to apply in the meantime.”

(xviii) *Basic Wage Inquiry, 1963.* This was an adjourned inquiry which arose out of an order made by the Commission on 20th February, 1962, (*see above*). The hearing was held on 5th February, 1963 before Kirby C.J., Ashburner and Moore J.J.

During the proceedings, the unions discussed the various methods by which changes in the rates of basic wage could be calculated by using changes in the index numbers of the Consumer Price Index and asked for a direction by the Commission as to which method should be used.

In conformity with the decision in the 1962 Basic Wage Inquiry (*see above*), the employers gave notice to the Commission that issues and procedures referred to in the 1961 Basic Wage Judgment that related to the fixation of wages or conditions of employment by reference to the capacity of the national economy would, of necessity, be argued at the present hearings.

The employers submitted that the following matters were essential considerations in the hearing and determining of any application seeking to alter wages and conditions of employment on a national basis.

- (a) The role of the Commission in relation to government economic or fiscal policies, inflation, etc.
- (b) The justification for adjustment of wages by reference to a price index either automatically or *prima facie*, including the relationship between movements in a price index and variations in capacity of the national economy.
- (c) The relationship between the capacity of the economy to absorb increases in wages or labour costs and the movements or likely movements in national productivity.

The unions submitted that the matters raised by the employers could be discussed only before a Presidential Bench of the Commission and that the employers could not seek the right to argue the 1961 basic wage decisions before a bench of the Commission constituted otherwise.

In the judgment given on 5th February, 1963 the Commission said:—

“ 1. There will be no alteration in the amounts of the existing basic wage until further order of the Commission.

2. The application before the Commission is further adjourned until 18th February, 1964.

3. At such adjourned hearing the issues will be:—

(a) The issue set out in paragraph (5) of the decision of 4th July, 1961; and

(b) Any issue which a party desires to raise and of which it has given notice to the Industrial Registrar, the other parties, and the Attorney-General, by the 31st January, 1964.”

With regard to the various methods by which changes in the rates of basic wage could be calculated, the Commission felt that it was not the appropriate time to deal with the matter, but it would be further considered when it was appropriate.

The Commission referred to the matter raised by the employers concerning the considerations to be taken into account by the Commission when hearing applications to alter wages and conditions of employment, and ruled that it was not the appropriate time to deal with the submissions made.

If submissions were made before benches of the Commission differently constituted from the present one, then those benches were the ones to deal with their relevance, admissibility or otherwise.

The applications referred to in para. 6 of the decision of 4th July, 1961 were further stood over to a date, after 18th February, 1964, to be fixed by the Commission with liberty to any of the parties to these applications to apply in the meantime.

(xix) *Basic Wage Inquiry, 1964 and Employers' Total Wage Case, 1964.* On 25th February, 1964, the Commonwealth Conciliation and Arbitration Commission began hearing an application by respondent unions for a variation in the Metal Trades Award and the Pastoral Industry Award, and an application by the employers for a variation in the Metal Trades Award.

The unions sought an increase of 52s. (\$5.20) a week in the basic wage portion of the Metal Trades Award and the Pastoral Industry Award, the abolition of the disparity in respect of station hands under the Pastoral Industry Award, and the re-introduction of automatic quarterly adjustments based on the Consumer Price Index.

The employers sought an alteration to the present wage structure, involving the abolition of the “ basic wage ” and “ margins ” components of the award and the substitution of a total wage, with increases ranging from 5s. (50c) to 8s. (80c) a week.

It was decided to hear the claims by the unions first but to reserve the decision until the employers' Total Wage Case was heard immediately afterwards. Since the arguments used in the first case were likely to be similar to those used in the employers' hearing it was deemed expedient for Commissioner Winter who was a member of the bench for the Total Wage Case, to attend the first hearing as an observer.

The Basic Wage Inquiry, 1964. For the hearing of this case the Conciliation and Arbitration Commission was constituted in Presidential Session by Kirby C.J. Gallagher, Moore and Nimmo JJ. Commissioner Winter was present as an observer only.

The application by the unions (*see* page 117) was opposed by private employers generally. The Commonwealth Government intervened in the public interest, but neither supported nor opposed the claim. Leave to intervene was granted to the Australian Council of Salaried and Professional Associations and thirty affiliated organizations of that Council, nineteen organizations affiliated with the High Council of Commonwealth Public Service Organizations, and to the State of Tasmania; these parties supported the unions' claims.

At the conclusion of the Basic Wage Inquiry and the Total Wage Case the bench on 9th June, 1964, handed down the following decisions* :—

- “ 1. Unanimous decision that the unions' claim for the restoration of automatic quarterly adjustments be refused.
2. Unanimous decision that the application of the Australian Workers Union for the deletion from the Pastoral Industry Award of the basic wage for station hands be granted. This means abolition of the disparity of 1s. [10c] per week in respect of station hands.
3. Unanimous decision that the basic wages of adult male employees covered by Federal Awards be increased. The Commission is equally divided in opinion on the amount of increase, the President and Mr. Justice Moore being of the opinion that it should be 20s. [\$2] and Mr. Justice Gallagher and Mr. Justice Nimmo that it should be 10s. [\$1]. The Act (Section 68) provides that if the Commission is equally divided in opinion the question shall be decided according to the opinion of the President. The decision of the Commission is therefore that the basic wages of adult male employees covered by Federal Awards shall be increased by a uniform weekly amount of 20s. [\$2].
4. The new rates will come into operation from the beginning of the first pay period to commence on or after 19th June, 1964, subject to special cases.
5. The basic wages which shall be increased by 20s. [\$2] per week shall be those prescribed for adult males in the Pastoral Industry Award, as varied by Decision No. 2 above, and those basic wages as at present prescribed for adult males in the Metal Trades Award and all the Awards respectively the subject of the applications and disputes which have been ordered by the Commission to be joined for hearing and decision with the applications concerning the Pastoral Industry Award and the Metal Trades Award. The awards concerned are set out in the schedule to the Judgment of the President and Mr. Justice Moore.”

Three separate judgments, one by Kirby *C.J.* and Moore *J.* and one each by Gallagher *J.* and Nimmo *J.*, were presented and a summary of these judgments is given below.

Kirby C.J. and Moore J. Discussing the unions' claims Kirby *C.J.* and Moore *J.* in their judgment said, “ The amount of 52s. [\$5.20] is ascertained by applying to the basic wage of September, 1953, movements in the “ C ” Series Index from the September quarter 1953 until the June quarter 1961, and thereafter movements in the Consumer Price Index until December, 1963. A figure of 20s. [\$2] is arrived at by this method of attempting to restore the value of the 1953 basic wage. The 20s. [\$2] is then added to 288s. [\$28.80], the present Six Capital Cities' basic wage which for the purposes of the claim would become 308s.

* Print No. A9600, p. 6.

[\$30.80]. Then the assumption is made that national productivity has increased at a rate of one per cent per annum since 1952-53. This, when compounded, is 10.4 per cent and 10.4 per cent of 308s. [\$30.80] is 32s. [\$3.20] which with the 20s. [\$2] for price movements gives the 52s. [\$5.20] claimed.**

Kirby C.J. and Moore J. stated they would reject the use of the "C" Series Index which had been becoming progressively less satisfactory and was no longer published by the Commonwealth Statistician. If the Consumer Price Index was used instead, the amount of the claim became 31s. (\$3.10) and the unions conceded that the Consumer Price Index might be the more appropriate index to use. After discussing the two indexes and the use of different base years from which to measure the increase in productivity, they said that the unions while not abandoning their 52s. (\$5.20) claim had pressed for an increase of 31s. (\$3.10) with alternatives of 13s., 20s., 21s., 25s., 27s., and 32s. (\$1.30, \$2, \$2.10, \$2.50, \$2.70 and \$3.20, respectively).

Automatic Quarterly Adjustments. The unions also asked for the re-introduction of automatic quarterly adjustments to the basic wage; this was opposed both by the employers and the Commonwealth Government. Their Honours agreed with what was said in the 1961 Basic Wage judgment about automatic quarterly adjustments and therefore rejected this part of the claim.

Pastoral Award Differential. The Australian Workers Union had asked that the 1s. (10c) a week difference between the basic wage for station hands and shearing employees be removed, and explained the history of the difference as related to basic wage concepts, which in its submission no longer applied. The employers argued that questions of principle were involved and that they should be given an opportunity of presenting a more detailed case before the application was fully considered.

Kirby C.J. and Moore J. said they appreciated that the difference between these two basic wages was at different times in the past a matter of some significance, not only because statistics were available upon which to adjust these different basic wages, but also because the amounts between them at times were considerable. In theory the Commission should undertake a lengthy exercise to examine the history and perhaps other factors in detail, but since the amount involved was only 1s. (10c) and would remain at 1s. (10c) for ever if the application were refused, they thought the unions' application should be granted and the difference between the two basic wages, which was now quite artificial, should be removed.

Base Year. Their Honours discussed the unions' use of 1952-53 as the base year because of the elimination of automatic quarterly adjustments at that time. They indicated that in 1961 the Commission had rejected that year and preferred 1949-50 as a base year from which to consider productivity movements. They considered that the important thing was that the 1961 decision was correct and that the unions were now strongly relying upon it as a proper approach to wage fixation. They said—"In our opinion the 1961 decision is the proper starting point for our consideration of the basic wage both because it was the latest fixation in point of time and because it applied correct principles."†

The judgment went on to say that the unions were able to show different and even opposite movements in productivity by applying different deflators to the Gross National Product and the judges concluded that the conflict shown by these different groups of figures confirmed views which the Commission had expressed before about relying too heavily on figures of this kind to control its decisions.

* Print No. A9600, p. 8.

† Print No. A9600, p. 10.

Attitude of the Parties. The unions' claim, both for an increase in the basic wage and the restoration of quarterly adjustments, was supported by the State of Tasmania, the Australian Council of Salaried and Professional Associations and the High Council of Public Service Organisations, all of whom had been granted leave to intervene.

The attitude of the employers was not of opposition to a wage increase itself, but one of desiring to see a total wage in the Commission's Awards following the abolition of a basic wage. They submitted that movements in wages should be kept within movements in productivity. Their Honours said that although this was related to their total wage application, it would also apply to basic wage increases, which caused movements in total wages. In view of what was contained in the majority judgment in the Total Wage Case they did not propose to discuss the employers' proposals as to the fixation of wages. They agreed with what was said in that decision about that proposal.

The applications to increase the basic wage could be considered in an atmosphere in which employers were prepared to agree to wage increases, though on certain terms. The employers attacked the principles laid down in the 1961 Basic Wage decision, in particular the *prima facie* adjustment for prices. They also attacked the amount awarded. The Commonwealth Government while intervening neither to support nor oppose an increase of the basic wage did not attack the concept of a basic wage, though it criticised in some detail the 1961 Basic Wage decision. On the other hand the unions relied strongly on that decision. It was necessary to look closely as to what was said and done in that case.

1961 Basic Wage Decision. The basic wage awarded in 1961 had taken into account the capacity of the economy, the standard set by the basic wage of 1960 and increases in productivity up to and including 1959-60, and it was not correct to assert that the 12s. (\$1.20) increase was granted merely because of the movement in prices. Their Honours rejected the employers' submission that the Commission had adopted a policy of granting increases which amounted to the sum of price movements and productivity increases since the last fixation.

In 1961 the Commission made a positive finding that it would assume that the capacity of the economy would continue to be such as to enable the real value of the increased basic wage to be maintained. It indicated that there would be consideration of price movements each year, and that a review of the economy could take place every three or four years. This did not preclude any party from exercising its right to come to the Commission more frequently, but in the absence of special circumstances, the next review of the basic wage would only be a consideration of price movements. The only issue would be whether the money wage should be adjusted in accordance with any change in the Consumer Price Index, and the onus would be on the party opposing such an alteration to show that it should not be made.

Relying on this decision the unions had waited for three years before making an application for an increase in the basic wage, and to now reject the implications of that decision might properly be regarded by the unions as a breach of faith by the Commission.

Overall Approach to Basic Wage Fixation. Having confirmed the 1961 decision, Kirby C.J. and Moore J. stated their overall approach to general applications for alteration in the basic wage. It was necessary to look at the state of the economy, past, present and future. They explained that in considering the development of the economy, two elements were given most prominence. They were the movements in prices and productivity but these

movements should not be applied automatically and inevitably, nor should they be the only things considered in a review of the real basic wage. They said they had endeavoured to look at the economy in the round and base their decision on its capacity since 1961, its capacity now and its capacity for the predictable future.

It was thought that a general review of the economy should take place every three or four years, but while it was desirable to adhere to the 1961 approach in this case, it might be necessary in different circumstances for the commission to vary this approach. If either of the parties sought a more frequent review of the real wage, the Commission would have to deal with it.

The judgment said they would leave that to the future because they had decided that this application should be determined here and now. The only departure from the 1961 procedure was that they now considered it preferable for the future to leave it to the parties to apply as they may be advised either for money or real changes in the basic wage. They would not, therefore, stand this matter over from year to year as has been done since 1961.

General Conclusion. Kirby C.J. and Moore J. considered economic capacity by reviewing the indicators normally considered by the Commission and concluded that:—"A consideration of all the indicators separately and collectively must lead to the conclusion that in all its aspects the Australian economy is at present buoyant. . . ."

" . . . We are conscious that there is some fear in the community that unless care is exercised the present situation may develop into an inflationary boom with possible consequent dampening down measures. However we think that the Commission would not be fixing a basic wage which was just and reasonable if it did not act on the present state of the economy which is expanding and buoyant with no positive sign of inflation although there is an upward tendency in some prices. As we have noted the Reserve Bank is watchful about inflation and we would assume that other authorities will be equally watchful."

"In these circumstances there is and can be no real dispute that the basic wage should be significantly increased. Bearing in mind all we have said we conclude that a just and reasonable increase to the male basic wage would be an amount of 20s. [\$2] a week. We would point out that the 20s. [\$2] by which we would increase the basic wage is not arrived at by the method suggested by the unions in regard to that amount It is our view that the present and predictable capacity can provide for such an increase and that a lesser sum would not be just and reasonable. This increase should in our view come into operation from the beginning of the first pay period to commence on or after 19th June, 1964."

"The increase of 20s. [\$2] a week granted this year compares with the increase of 12s. [\$1.20] three years ago. In the 1961 judgment it was calculated that 12s. [\$1.20] added £60 million [\$120 million] to the wages bill or something less than two per cent of the £3,311 million [\$6,622 million] paid as wages and salaries during the preceding year. Using the same approach but conceding that it is only a rough rule of thumb method the 20s. [\$2] now granted would increase the wages bill by £100 million [\$200 million]. This would be approximately 2.5 per cent of the £3,965 million [\$7,930 million] of wages, salaries and supplements during 1962-63. This year's 20s. [\$2] represents an increase of something under four per cent on the figure of average weekly earnings."*

* Print No. A9600, pp. 21, 22.

It was the view of the judges that their decision should be applied to all the applications and disputes which had been ordered by the Commission to be joined for hearing and decision with the original applications, and any other applications which were subsequently presented.

Gallagher J. After reviewing the evidence presented by the unions, employers and the Commonwealth Government, *Gallagher J.* in his judgment said—"I have decided to proceed on the basis that the capacity of the economy is the predominant issue in the assessment of the basic wage. In the application of this principle, I shall adhere to the rule that the wage should be the highest which the community can afford".* However, he said he would not ignore the industrial, social and economic consequences of the Commission's actions.

"My adherence to the capacity principle does not, as I understand the position, bring me into conflict with the procedure . . . introduced by the Full Bench in the decision which resulted from the Basic Wage Inquiry 1961".* His Honour said he agreed with the Full Bench that the purchasing power of the basic wage has always been a matter of importance, and did not consider that the prima facie adjustment for prices or the onus placed upon the employers created an undesirable procedure. "Provided the relevant evidence is available (and I see no sound reason why it should not be), it is not unreasonable that the employers may be called upon to satisfy the Commission that price increases, although admittedly having occurred, should not be reflected in the basic wage. The matter of fundamental importance, as I see it, is that the employers in raising objection should have the right fully to raise capacity to pay, that is to say it should be open to them to examine all material aspects including the accepted indicators and then to establish that in the light of the economic position viewed as a whole, an alteration based alone on increased prices should not be made."

"I have already indicated my belief that the 1961 basic wage decision did not constitute a departure from the principle that capacity to pay is the predominant issue but if there has been such a departure I would to that extent respectfully refuse to apply the decision."

"My concurrence with the '1961 procedure' is, as I have already indicated, restricted to the extent to which it provides for a prima facie adjustment for price movement. For the reason that the taking into account of productivity increases over an extended period could lead to a large increase of the basic wage, I would be inclined to the view that adjustments for productivity, if they are to be made, should be effected at fairly frequent intervals. In this way I hope to avoid the serious impact upon the economy flowing from a substantial increase."†

His Honour did not consider it necessary to discuss the accepted indicators in detail since it was conceded on behalf of the Commonwealth Government that the situation of the economy was favourable.

Gallagher J. said that expressions of opinions of economists extracted from documents tendered as evidence left the impressions that—(a) the Australian economy was developing and productivity would increase; (b) there was a lag in award wages as compared with average weekly earnings; (c) the position of the lower wage groups could not be alleviated more than temporarily by a wage rise which accrued indiscriminately to all wages earners; (d) smaller adjustments made with greater frequency were preferable to substantial adjustments made after lengthy intervals; (e) a low rate of increase of wages was unlikely to have much impact on the rate of technical progress; and (f) a rate of increase which was too high could cause economic dislocation.‡

* Print No. p. 31.

† Ibid., pp. 32, 33.

‡ Ibid., p. 38.

Although the basic wage had remained static for almost three years, average weekly earnings had consistently increased. Those who were on the average or above it appeared to have received the benefits of price movements and productivity, but it may well be that, as a matter of equity and good conscience, an improvement in the standard of living was required for those appreciably below the average.

There was some statistical evidence which would give rise to the inference that the number of workers whose earnings were little above the basic wage were relatively few in number but the figures did not take into account employees in government undertakings and therefore did not necessarily provide a conclusive guide.

After considering particulars relating to personal consumption expenditure, new motor vehicle registrations, number of new houses and flats commenced and completed, and savings banks deposits, His Honour said that some increase was warranted but the important thing for the wage earner was that the amount be of real value. A substantial increase could seriously upset price stability. A moderate increase should be much less likely to do so, and he considered that a middle course would be best.

After referring to scope for private arrangements between employers and employees on wages, and for the use of incentive payments, with the object of demonstrating that the keeping of the basic wage within moderate limits need not result in depressed earnings, he announced his conclusion that the amount of the increase should be 10s. (\$1) a week.

He also concurred with the others on the Bench in rejecting the application for automatic quarterly adjustments, and agreed to the abolition of the difference in the basic wage between station hands and shearing employees.

Nimmo J. The separate judgment handed down by *Nimmo J.* said that if the basic wage current at the date of the review was not the highest that the capacity of the community as a whole could sustain, it was the duty of the Commission to alter it accordingly. - Since any alteration operated in the future the Commission was obliged to estimate the highest amount the community could sustain during the period of operation of the alteration. In estimating this amount the Commission considered a variety of factors, each of which it weighed and considered against the others. Any party was free to urge the consideration of factors other than those normally used by the Commission.

The Commission used various "Indicators" to assess the present and future state of the economy, considered national productivity, total wages and recent awards, movements in prices and the consequences of any alteration in the basic wage.

In considering the applicants' claims *Nimmo J.* said he did not accept the union's contentions that the court had wrongly abolished the system of automatic quarterly adjustments in 1953 and that since that date wage earners had not received the full share in increases in national productivity to which they had been entitled.

He examined the economy of the country and concluded that the indicators disclosed that the Australian economy was in a healthy state and pointed towards it remaining in that state.

After examining past and future productivity he said that "over the last three years, depending upon the methods adopted for assessing the Gross National Product and calculating the number of persons employed, national productivity may be estimated as having increased annually by between 1.2 per cent and 2.4

per cent. The breadth of this range is a clear indication that it is not possible with existing statistical information to estimate growth in national productivity with precision. The trend, which emerges from the examination, is for a moderate but steady growth which may, on present indications, be reasonably expected to continue in the future.”*

Over-award payments had increased at a faster rate than had award wages and an increase in the basic wage would spread throughout the ranks of wage earners and not be absorbed into over-award payments. In the past most of the productivity gains had been distributed in a variety of forms to consumers, employers and employees. In 1963 the Commission had increased annual leave generally in secondary industry by one week and had increased margins in the Metal Trades industry, and in the following years awarded 13 weeks long service leave after fifteen years service to employees under the Metal Trades and Graphic Arts Awards. He said—“Consumer prices have been steady since June, 1961. It must be remembered, however, that early in this period the economy was depressed and unemployment existed and that the recovery which has taken place since then has been until recently of a gradual nature.”†

He drew attention to such factors as the state of liquidity, the high average income of adult male wage earners and the increasing shortage of labour in some industries and said “With these potential inflationary elements present it is my view that a substantial increase in the basic wage would aggravate the position and could easily trigger off a wage-price spiral which would produce the undesirable consequences mentioned in the earlier references I have made on this subject.”‡

He concluded that the basic wage for adult males was not the highest the capacity of the community as a whole could sustain now and in the future.

“Having regard to the current state of affairs and to the conclusion I have reached that for the time being there should be annual reviews of the basic wage it is my opinion that the increase which is justified is one of 10s. [\$1] to apply until the next annual review.”‡

“Since I find myself at variance with the learned President and my brother Moore, on the question whether the 1961 procedures should be continued I think it incumbent on me to give my reasons in detail”.‡ These reasons are summarized below.

(a) It is incompatible with the principle of “capacity to pay” to single out any particular factor for separate treatment; (b) an upward movement in the Consumer Price Index could lead to an application which might not be opposed by the employers who would simply increase domestic prices; (c) under a system of annual reviews a complete consideration of an application for an increase in the basic wage proceeded on the basis that an increase in the capacity to pay should lead to a rise in the wage—such a rise would ensure that the real value of the basic wage was protected; (d) annual reviews reduced the margin of error involved in the Commission’s prognosis in respect of the future capacity of the community to sustain increases; (e) previous statements by the Court and the Commission pointed out that it was not the policy to determine basic wages without regard to the general level of secondary wages. He said “no explanation has been advanced to show how this principle can be applied in a prognosis of capacity extending over a period of three or four years, because the nature and extent of marginal applications over that period cannot be foreseen”§; (f) a full review after a period of time may lead to one big

* Print No. A9600, p. 49.

† Ibid., p. 50.

‡ Ibid., p. 51.

§ Ibid., p. 52.

increase, as opposed to a series of moderate increases which the economy may have a better chance of absorbing; (g) under the "capacity to pay" principle a party seeking a change in the basic wage should show that it is justified having regard to the capacity of the community as a whole to sustain it. One party should not be freed from the responsibility of establishing that a change was justified by mere proof of a change in one factor, amongst many, and place upon its opponent the task of proving that it was not, whether the movement in prices be up or down; (h) during a long delay between hearings, pressure was likely to develop for increases in over-award payments and margins, and because of the general lack of bargaining strength of the low wage earners they may suffer; and (i) there were no difficulties in the way of annual hearings as the parties now have more common ground than previously. A further improvement might be the presentation of written cases which could be studied by the parties and then spoken to in the sittings of the Commission.

While opposed to the 1961 procedures, Nimmo *J.* said that if they were adhered to, he would prefer a scheme of staggered increases.

He agreed with the other members of the bench that the application to restore automatic quarterly adjustments be refused, and that the differential between station hands and shearers be abolished.

Employers Total Wage Case, 1964.—The case was heard in Presidential Session by Kirby *C.J.*, Gallagher, Moore, Nimmo *JJ.* and Commissioner Winter.

A claim was made by the Metal Trades Employers Association, the Victorian Chamber of Manufactures and the Metal Industries Association of South Australia for the deletion from the Metal Trades Award of the basic wage provisions and for the insertion in the award of a wage expressed as a total wage. The employers offered an immediate increase in the total wage but made it clear that they did not desire the Commission to grant their application for a total wage unless the Commission also agreed to implement their submission that movements in wages should be kept within movements in productivity. They also asked that, since the application was a vehicle by which the Commission would establish a new approach to the principle of wage fixation, the decision should not be confined to the Metal Trades industry but applied generally to the Commission's awards.

The unions opposed the application, stressing the importance of the basic wage to the lower paid worker, its historical significance and the attitude of Parliament.

The Commonwealth Government when intervening, emphasized the need for flexibility, the desirability of adherence to the capacity to pay principle, the danger of fixing wage rates solely in relation to price movements or productivity, the undesirability of assessing rates on purely economic grounds, the advantage of work value fixations and that it was wrong to proceed on the basis that whenever a change takes place in one margin all margins should change.

On 9th June, 1964* the Commission announced the following decision—

"The members of the bench are unanimous in the opinion that the application of the employers for the deletion from the Commission's Awards generally of the basic wage provision and for the insertion in those Awards of a wage expressed as a total wage should be rejected."

Three separate judgments, one by Kirby *C.J.*, Moore *J.* and Commissioner Winter and one each by Gallagher and Nimmo *JJ.* were handed down and a summary of these judgments is given below.

* Print No. A9601, p. 7.

Kirby C.J., Moore J. and Commissioner Winter.—After discussing the claim by the employers the judgment said—“Allowing for the attractiveness of greater simplicity and predictability and appreciating the thoughtful arguments put by [the employers] we find ourselves unable to implement the employers’ proposal, at any rate at the present time, particularly as it has not yet been successfully applied elsewhere.”*

The judgment gave six reasons for rejecting the application and emphasized that they were interrelated and should not be treated separately.

Firstly, it had not been shown that the proposal could successfully be put into practice by the Commission. Nor was it established that any other country had successfully applied the principle that movements in wages and movements in productivity should move in consonance with each other at least generally or over any appreciable period of time. The role of the Commission was to prevent and settle industrial disputes and the Act made the Commission neither an economic planning body nor a national Commission dealing with all types of income or even all wages and salaries. The Commission was required to deal with such industrial disputes as were brought before it and was neither required nor allowed to do anything more, although it did not operate in a vacuum or ignore the economic consequences of its decisions.

Secondly, the proposal would be applied by the Commission in a community where there was no consideration of incomes overall and no overall authoritative control of prices as applied in the writings on which the employers relied. While not underestimating the importance of wages and salaries in the national economy, the application of the proposal to wages and salaries only was another reason for declining, at least at this stage, to attempt to apply the employers’ proposal. It may be important however to note that different considerations might well apply if the Commission’s work was performed in a setting in which there was an overall policy both as to incomes of all types, and as to prices.

Thirdly, the Commission not only did not fix all incomes but did not even fix all wages and salaries. Accordingly, even if it would, it could not cause the theory to work in Australia in the way suggested by the employers. Federal awards covered only some 42 per cent. of male employees and 31 per cent. of female employees. In New South Wales, Queensland and Western Australia the basic wage under State awards was different from the Federal basic wage. Margins were not always the same in State as distinct from Federal awards and moreover there was a considerable proportion of the work force not covered by awards at all. It was an important factor that the Commission did not and could not fix all wages and salaries and this would be a very real obstacle to the implementation of the employers’ proposal.

Fourthly, there were technical problems involved in deciding on the method of determining a measure of productivity and of choosing between award rates or average weekly earnings as the base from which to start to apply the proposed formula, each of which would for the purposes of this decision involve inaccuracies and each would produce a different result. Considering the statistical information presently available and the fact that there was no agreement or demonstrably sound argument as to which particular figures should be used, the Commission should not give effect to the employers’ proposition.

* Print No. A9601, p. 9.

Fifthly, the application of the proposed formula in the way suggested by the employers to a total wage would reduce the flexibility of wage fixation and in particular of wage fixation by the Commission. It was considered the introduction of the employers' proposal would if anything diminish the likelihood of work value cases and would probably tend to detract from the valuable work at present being done by individual members of the Commission in individual industries.

Sixthly and finally, the Commission considered it should not allow a theoretical consideration to interfere with the rectification of what it considered to be an inequitable situation which required correction however the original inequity may have arisen. The implementation of the employers' theory could prevent the Commission increasing wages even when in the view of the Commission the wages would not be just and reasonable unless increased.

Considering some of the non-economic arguments put forward by the employers, the judgment said that it was perhaps vital that the basic wage or something very like it should have come into being and have been retained in Australia. It may be that if a national wage were to be introduced afresh at this time it may not be similar to the basic wage. But the basic wage became a national phenomenon and the real problem is whether that phenomenon still remained of value in the field of national wage fixation. The Commission did not think that in the present circumstances or at the present time a case for the abolition of the basic wage had been made out.

Kirby *C.J.*, Moore *J.* and Commissioner Winter were of the view that the fact that the basic wage may not be an actual paid wage was of no great significance in these proceedings.

They were attracted to the suggestion that since the unions had used similar economic arguments for the fixation of both wage and margins, it would be more logical and tidier to require these arguments to be applied at the same time to a total wage. However, this overlooked the function and duty of the Commission to prevent and settle industrial disputes, in which tidiness may have to give way to more important considerations. The parties were in fundamental disagreement on the issue of a total wage and there would have to be more cogent reasons than tidiness before the Commission would approve the drastic change sought by the employers.

The employers submitted that as soon as the Commission increased the basic wage that fact by itself created a "legacy claim" for marginal increases. The real truth of the matter was that unions base their claims for both basic wage and marginal increases on the same economic grounds and therefore inevitably there must be a similarity between such margins cases and basic wage cases. It was at least as likely as not that increases in the basic wage have an effect in delaying and moderating marginal claims and not in increasing and accentuating them.

The Commission could in each case coming before it create a wage which had no basic wage element, but it thought that at the very least the question of the abolition of the basic wage must be seen against a background of Parliamentary recognition and perhaps even approval of its continued existence.

The judgment rejected the application in the knowledge that the Commission did not consider cases of national importance in isolation. It had been the practice of the Commission when dealing with such cases to bear in mind other decisions of the Commission given in other cases of national importance and this is a practice which would continue.

Gallagher J.—In his judgment *Gallagher J.* stated that, in short, the employers' claim was that the basic wage was an anachronism and that it should give way to modern methods of fixation and the time had arrived for its abolition.

The unions had stressed the importance of the basic wage particularly to lower paid workers and argued that its abolition had never been contemplated.

The basic wage for adult males is described as "that wage or that part of a wage, which is just and reasonable for an adult male, without regard to any circumstance pertaining to the work upon which or the industry in which he is employed". For highly remunerated employees the wage element as thus described may be of little significance but while throughout the length and breadth of Australia there may not be one employee on the basic wage there are many thousands whose marginal element when compared with the basic wage was insignificant.

Irrespective of the nature of his work and the conditions under which it was performed an employee was entitled to have included in his wage a monetary sum aimed "at the highest living standard for the wage earner which the community can afford".

It was right that there should exist a separate wage element which was just and reasonable without regard to any circumstance pertaining to the work upon which or the industry in which a person was employed.

Gallagher J. concluded: "There may exist grounds for further consideration of present methods of marginal fixation particularly the system which can have the effect of creating widespread percentage increases almost simultaneously and without regard for the nature of the work or the conditions under which it is done but the case for the retention of the basic wage is beyond argument. The application should be refused".*

Nimmo J.—In a separate judgment *Nimmo J.* stated that the basic wage remained a factor of great importance in the minds of wage earners. There were large numbers of wage earners who received relatively small payments in addition to the basic wage and the closer their wages were to the basic wage the greater the significance it had for them.

Although there appeared to be a measure of truth in most of the reasons the employers submitted to support the change, even if they were wholly true they would not justify that change, nor if the change occurred would it produce the results they claimed for it.

Nimmo J. then enumerated his reasons which are summarized as follows—
 (a) The concept of the basic wage had existed for more than 50 years and was a well accepted and fundamental feature of the nation's industrial, social and economic life, which it had served well. (b) In view of the effective way in which the present system had served the nation, it should not be changed upon the application of the employers against the strong opposition of the unions, and against the wish of the Commonwealth Government. (c) In view of (b) above the change sought would be more likely to increase than reduce the number of industrial disputes in the community. (d) The employers claimed that while the Commission stated that its decisions on margins in Metal Trades Awards should not be automatically applied to other awards, this, in many cases, did happen. This submission would be more in point in a case involving only the fixation of margins, and submissions of that nature did not justify so drastic a remedy as the abolition of the basic wage. (e) The Act showed that Parliament intended a dispute as important as a basic wage dispute should be determined

* Print No. A9601, p. 16.

by the Commission in Presidential Session, but a total wage dispute, which would be at least as important, would not, as the Act now stood, be heard in Presidential Session. The Commission should hesitate before introducing new procedures which would produce this result. (f) It was true that there were disadvantages in the present system but there were advantages as well, not the least of them being its flexibility. Nimmo J. was not convinced that the disadvantages of the present system outweighed its advantages or that the suggested new system would not have just as many disadvantages of the same magnitude.

(xx) *National Wage Cases of 1965*.—Hearing in these cases commenced on 2nd March, 1965 before Kirby C.J., Gallagher, Moore, Sweeney and Nimmo J.J. of the Commonwealth Conciliation and Arbitration Commission. Claims by the employers and the trade unions were heard concurrently.

The employers' claim (Part A) was for the abolition of the concepts of the basic wage and margins, and the introduction into the Metal Trades Award of an obligation to pay a total wage made up of the sum of the amounts expressed in terms of the basic wage and a margin, plus an amount equivalent to one per cent. of such sum. The employers also asked (Part B) that, in respect of the ensuing twelve months, the level of the basic wage and the level of margins, in so far as the latter is determined upon general economic grounds, should be decided simultaneously. It was open to the Commission under Part B of these claims to decide whether there should be an increase in—(a) the basic wage element alone; (b) the marginal element alone; or (c) both the basic wage and marginal elements, to whatever extent, in respect of each element, the Commission deemed proper.

The trade unions sought new basic wage rates incorporating increases proportionate with the rises in the Consumer Price Index. For the Six Capital Cities basic wage the increase claimed was 12s. a week for adult males.

The Commission announced its decision on 29th June, 1965, when three separate judgments were handed down—a joint judgment by Gallagher, Sweeney and Nimmo J.J. and separate judgments by Kirby C.J. and by Moore J. In accordance with the opinion of the majority (namely that of Gallagher, Sweeney and Nimmo J.J.), the order of the Commission was to the effect—

- (a) Part A of the employers' application was refused;
- (b) With regard to Part B of the employers' application—
 - (i) there would be no alteration in the basic wage,
 - (ii) with effect from the first pay period commencing on or after 1st July, 1965, each margin in Clause 4 of the Metal Trades Award was increased by an amount equal to 1½ per cent. of the sum of the Six Capital Cities basic wage and that margin;
- (c) the application of the unions for an increase in the basic wage was refused.

The majority judgment anticipated that, subject to the question of capacity of a particular industry and the question of those margins which had already been increased on general economic grounds (since 1963), the increases awarded would be speedily reflected throughout the awards of the Commission.

A summary of the proceedings and of the nature and reasons for the judgments will be included in the next issue of the Labour Report.

(xxi) *Rates Operative.* Basic wage rates of the Commonwealth Conciliation and Arbitration Commission, for adult males from 1923 and for adult females from December, 1950 will be found in Section IX of the Appendix. The rates are shown separately for each capital city, the six capitals, the Australian Capital Territory and the Northern Territory. Current rates for the capital cities are published in the monthly bulletin *Wage Rates and Earnings*.

3. **Commonwealth Basic Wage Rates for Females.**—In its judgment of 17th April, 1934, wherein the Commonwealth Court of Conciliation and Arbitration laid down the basis of its "needs" basic wage for adult males, the Court made the following statement in regard to the female rate:—

"The Court does not think it is necessary or desirable, at any rate at the present time, to declare any wage as a basic wage for female employees. Generally speaking they carry no family responsibilities. The minimum wage should, of course, never be too low for the reasonable needs of the employee, but those needs may vary in different industries. In the variations now to be made the proportion in each award of the minimum wage for females to that for males will be preserved."*

Generally speaking, this proportion varied between 54 and 56 per cent. of the male rate, and this practice continued until superseded by the war-time and post-war developments. During the 1939–45 War these percentages had, in a number of industries, been raised and for some female occupations total wage rates were expressed as not less than 75 per cent. of the corresponding male rate. For further information on war-time developments reference should be made to Labour Report No. 46, pages 77–80. Postwar developments are described briefly below.

The *Commonwealth Conciliation and Arbitration Act 1947* (see Labour Report No. 37, page 50) provided among other things that "a Conciliation Commissioner shall not be empowered to make an order or award altering . . . (d) the minimum rate of remuneration for adult females in an industry". Following an inquiry in 1948, it was held by the Full Court of the Commonwealth Court of Conciliation and Arbitration that Conciliation Commissioners had jurisdiction to "fix" the female rates in question under the provisions of the Act, but that the provision referred only to the basic wage element in any prescribed female rates. In December, 1948, the Government amended the Act to authorize the Court—and the Court alone—to fix the basic rate by providing that "a Conciliation Commissioner shall not be empowered to make an order or award . . . (d) determining or altering the minimum rate of remuneration for adult females in an industry".

A further amendment in 1949 empowered the Court to determine or alter a "basic wage for adult females" which was defined as "that wage, or that part of a wage, which is just and reasonable for an adult female, without regard to any circumstance pertaining to the work upon which, or the industry in which, she is employed".

The first major post-war declaration of policy in respect of the female basic wage was made by the Commonwealth Court of Conciliation and Arbitration in the course of its judgment in the 1949–50 Basic Wage Inquiry (see page 103). The Court fixed a new basic weekly wage for adult females at 75 per cent. of the corresponding male rate, operative from the beginning of the first pay-period commencing in December, 1950 and that ratio has remained in operation.

* *Commonwealth Arbitration Reports*, Vol. 33, p. 156.

A table showing Commonwealth female basic wage rates since December, 1950 will be found in Section IX of the Appendix.

Further particulars regarding female basic wage rates may be found in Labour Report No. 46, pages 75-81, and earlier issues.

4. **Australian Territories.**—(i) *Australian Capital Territory.* Prior to 1922 the lowest rate payable to an unskilled labourer was not defined as a basic wage, as all wages were paid under the authority of the Federal Capital Commission as a lump sum for the particular occupation in which the worker was employed, but in 1922 an Industrial Board commenced to operate under a local Ordinance. A summary of the decisions made by the Industrial Board during its period of operation was given in earlier issues of the Labour Report (see No. 40, page 89).

By an amending Ordinance, No. 4 of 1949, the Industrial Board was abolished and its functions were transferred to the Commonwealth Court of Conciliation and Arbitration, which assigned a Conciliation Commissioner to the Australian Capital Territory. It was provided, however, that all orders and agreements in existence should continue to operate subject to later orders, awards and determinations made by the Court.

An amendment to the Commonwealth Conciliation and Arbitration Act, operative from 30th June, 1956, transferred the respective functions of the Commonwealth Conciliation and Arbitration Court to the Commonwealth Conciliation and Arbitration Commission and the Commonwealth Industrial Court. The Conciliation Commissioner mentioned above, under the amended legislation, became the Commissioner for the Australian Capital Territory.

In reviewing the Australian Capital Territory awards, following its decision of 12th October, 1950, in the 1949-50 Basic Wage Inquiry (see page 103), the Commonwealth Court of Conciliation and Arbitration fixed the Canberra basic wage at £8 5s. (\$16.50) a week for adult males, operative from the beginning of the first pay-period commencing in December, 1950.*

Until August, 1953, the basic wage for the Australian Capital Territory was varied each quarter in accordance with movements in the "C" Series retail price index numbers. However, following a decision of the Commonwealth Court of Conciliation and Arbitration to delete automatic adjustment clauses from its awards (see page 104), the basic wage for the Australian Capital Territory remained unchanged from August, 1953, until June, 1956. Since then, the uniform increases made to the basic wage by the Court and the Conciliation and Arbitration Commission have applied. The basic wages for the Australian Capital Territory, under awards of the Commonwealth Conciliation and Arbitration Commission since December, 1950, are set out in Section IX of the Appendix.

(ii) *Northern Territory.* The determination of the basic wage for this Territory comes within the jurisdiction of the Commonwealth Conciliation and Arbitration Commission.

There are, in fact, two basic wages operating—(a) in respect of areas north of the 20th parallel of south latitude, and generally referred to as the "Darwin" rate, and (b) in respect of areas south of that parallel. These are calculated on different bases as set out briefly in the following paragraphs. More detailed information was published in Labour Report No. 47 and earlier issues.

* Commonwealth Arbitration Reports, Vol. 69, p. 486.

(a) *The Darwin Basic Wage.* This wage was first determined by the Commonwealth Court of Conciliation and Arbitration in 1915* when a rate of £3 17s. (\$7.70) a week, or 1s. 9d. (18c) an hour, for an unskilled labourer, including a weekly allowance of 4s. (40c) for lost time, was awarded. In 1916-17 the Court refused to alter this basic amount of 1s. 9d. (18c) an hour, and referred to an agreement dated 2nd June, 1916, between the Amalgamated Carpenters and Joiners and the Northern Agency, which provided for rates based on the estimated living requirements of a family consisting of a man, wife and two dependent children, amounting to £3 11s. 1d. (\$7.11) a week. The list of items used to assess this figure was used in subsequent basic wage determinations.

In 1924, Powers *J.*, when considering the rate for employees of the Commonwealth Railways, which stood at £5 4s. 6d. (\$10.45), stated that he had in mind the amount of £4 12s. (\$9.20) as a basic wage. He considered that the wage of £5 4s. 6d. (\$10.45) then payable contained a special isolation allowance, and that the question of such special allowances was a matter for employers and employees to settle between themselves.†

In 1927,‡ Beeby *J.* also referred to the regimen of 1916, and fixed the basic wage at £5 10s. (\$11) a week, or 2s. 6d. (25c) an hour, including £1 (\$2) a week district allowance which had been suggested by Powers *J.* in his 1924 award as being a reasonable amount. As there was no adjustment clause in operation in Territory awards, the basic wage of £5 10s. (\$11) a week remained in operation until 1934, except for the reduction by the *Financial Emergency Act 1931* to £4 16s. 3d. (\$9.62).

The Full Court of the Commonwealth Court of Conciliation and Arbitration considered the Darwin basic wage for the first time in 1934.§ The Court awarded a basic wage of £4 10s. 9d. (\$9.08) a week, which was arrived at by bringing up to date the prices of the list of items of the 1916 agreement (*see above*) and altering the rent figure from 45s. to 65s. (\$4.50 to \$6.50) a month. Automatic adjustment provisions were first introduced into awards by this judgment by inserting an appropriate adjustment scale based on the movement in the Food and Groceries Retail Price Index (Special) for Darwin.

In 1938|| the Court granted a "loading" of 3s. (30c) a week on the wage because the Commonwealth Government had extended to the Territory its general civil service increase of £8 (\$16) a year.

In 1939 an additional amount was added to the basic wage as a special loading to offset the increase in the cost of living not reflected by the index numbers. The loading was 16s. 3d. (\$1.62) for employees on works and 10s. (\$1) for railway employees.¶ In February, 1940, before an automatic adjustment increase of 2s. (20c) became payable, the Court suspended the adjustment clause, pending further inquiry.**

In 1941†† the Full Court again reviewed the basic wage and, after a full investigation of its past history, awarded £5 12s. 9d. (\$11.28), made up of (a) £4 10s. 9d. (\$9.08) awarded in 1934; (b) 4s. (40c) in respect of accrued adjustments since 1939; (c) 5s. (50c) additional allowance for rent; and (d) two constant (unadjustable) "loadings" of 3s. (30c) and 10s. (\$1) a week. The Court also restored the adjustment clause based solely on the movement in the Food and Groceries Retail Price Index. This, however, never became effective, because it was superseded early in 1942 by the Blakeley Orders referred to below.

* *Commonwealth Arbitration Reports*, Vol. 9, p. 1.
 † 33 C.A.R., p. 944. †† 39 C.A.R., p. 501.
 ‡ 42 C.A.R., p. 164. ††† 44 C.A.R., p. 253.

† 20 C.A.R., p. 737. † 25 C.A.R. p. 898.
 † 40 C.A.R., p. 323 and 41 C.A.R., p. 269.

The basis of adjustment was altered by Conciliation Commissioner Blakeley by Orders dated 29th January, 1942,* owing to the urgent necessity to provide, over the period of the war, for adjustments in respect of rent, clothing and other miscellaneous items of domestic expenditure. Adjustment by means of the Food and Groceries Index only was no longer doing justice to the workers of the Territory, since the workers elsewhere in Australia were enjoying the benefit derived from the adjustment of their wages by means of the more comprehensive "C" Series Retail Price Index. As there was no "C" Series Retail Price Index for the Territory, and it was not possible to compile one on the basis of prices in Darwin, a composite index, "The Darwin Special 'All Items' Index" was created. This index was computed on the basis of food and groceries prices in Darwin, combined with Townsville prices for rent, clothing and miscellaneous items.

The December quarter, 1940, was taken as a suitable period upon which to base the adjustments, and for this quarter the Special "All Items" Index number was 1,036 and the "needs" equivalent £4 4s. (\$8.40). The basic wage for adult males, payable from 1st February, 1942 (when the new system first became operative), on the basis of the index number for the December quarter, 1941, was £5 17s. 9d. (\$11.78), made up of the £4 4s. (\$8.40) "needs" equivalent mentioned above, 5s. (50c) from adjustments since the December quarter, 1940, an unadjustable amount of 15s. 9d. (\$1.58) and the two unadjustable loadings of 3s. (30c) and 10s. (\$1), granted in 1941.

After the bombing of Darwin in 1942, food and grocery prices in the Special Index for Darwin were varied in accordance with fluctuations in food and grocery prices in Alice Springs and Tennant Creek.†

Following its "Interim" Basic Wage Judgment of 13th December, 1946 (see page 103), the Court decided in March, 1947, to postpone any adjustment pending a general review of the basic wage in the Territory. This review was made in 1948, and the Court increased the basic wage for adult males by 8s. (80c) a week. It also adopted as from the March quarter, 1948, the new Darwin Special "All Items" Index (containing the restored prices of food and groceries for Darwin proper, plus Townsville prices for rent, clothing and miscellaneous items) and transferred the basis of adjustment to the "Court" Index (Second Series). The new basic wage, which came into operation from the beginning of the first pay-period commencing after 20th May, 1948, was £7 0s. 9d. (\$14.08), including the unadjustable amount of 15s. 9d. (\$1.58) (see above), and the loadings of 3s. (30c) and 10s. (\$1).

Consequent upon the decision of the Commonwealth Court of Conciliation and Arbitration in the 1949-50 Basic Wage Inquiry (see page 103), an interim increase of £1 2s. (\$2.20) a week, payable from the first pay-period in December, 1950, was authorized, pending a special inquiry into the fixation of a new basic wage for the Northern Territory.‡ After the inquiry, and as a result of agreement between employers and employees, the Court fixed the basic wage at £10 10s. (\$21) a week, operative from the beginning of the first pay-period commencing in November, 1951.§ The Darwin Special "All Items" Index (see above) was retained as the basis for quarterly adjustments. Subsequently, a special loading of 10s. (\$1) a week was added to the wage rates in a number of awards.

* *Commonwealth Arbitration Reports*, Vol. 46, p. 411.
 † 72 C.A.R., p. 113.

‡ 48 C.A.R. p. 20.

§ 69 C.A.R., p. 836.

Quarterly adjustments continued to operate until August, 1953. They were suspended by the Court's decision of 12th September, 1953, as a result of the 1953 Basic Wage Inquiry. Since then, the uniform increases made to the basic wage by the Court and the Conciliation and Arbitration Commission have applied. The basic wages payable to adult males since December, 1950, are shown in Section IX of the Appendix. To these rates must be added the 10s. (\$1) special loading mentioned above. The basic wage for adult females is 75 per cent. of the adult male rate.

(b) *Northern Territory (South of the 20th parallel of South Latitude).* In earlier years there were two main groups of employees in this area of the Northern Territory, namely, employees of the Commonwealth Railways and employees of the Department of Works (formerly the Works and Services Branch of the Department of the Interior).

Prior to 1937, all employees of Commonwealth Railways, except clerks, were covered by awards of the Commonwealth Court of Conciliation and Arbitration, but since that year rates of pay for certain occupations have been prescribed by determinations of the Commonwealth Public Service Arbitrator. It has been the practice to fix a common base rate for Commonwealth Railways employees (the main centre being Port Augusta) and to provide, by means of "district allowances", additional rates to employees in isolated areas.

Other Commonwealth employees in the Northern Territory south of the 20th parallel of south latitude were paid the Darwin basic wage (*see* page 132), prior to February, 1935. The Full Court, in a judgment issued on 13th November, 1934,* fixed a rate of £4 (\$8) a week for Works and Services employees, which included an amount of 7s. (70c) a week to cover the cost of freight on goods purchased from the Railway Stores at Port Augusta. This rate compared with £4 10s. 9d. (\$9.08) being paid in areas north of the 20th parallel, and with £3 5s. (\$6.50) in Adelaide. Provision was also made for the adjustment of this wage to be made in the manner provided by the Court for railway employees at Alice Springs, namely on the basis of variations in the "Special" retail price index numbers for Port Augusta (inclusive of Railway Stores prices for groceries and dairy produce), but only £3 6s. (\$6.60) of the total amount was adjustable.

The 3s. (30c) a week "loading" granted by the Court in 1938 (*see* page 132) applied to employees located south of the 20th parallel of south latitude as well as to those engaged north thereof.

At a hearing on 12th and 13th March, 1947, the Full Court granted to workers in this area the amount of 7s. (70c) a week consequent upon its "Interim" Basic Wage Judgment of 13th December, 1946, as an addition to the "adjustable" part of the basic wage applicable. The questions raised as to a general review of the basic wage in the Territory as a whole were postponed pending the hearing and finalization of the 1949-50 Basic Wage Inquiry (*see* page 103).

In a judgment on 11th October, 1949,† the Full Court amended the adjustment clause of the Commonwealth Works and Services (Northern Territory) Award to provide for the adjustment to date and thereafter of the 7s. (70c) a week excess over the "needs" rate granted in November, 1934 (*see* above). The basic wage payable from the first Sunday in December, 1949, then became £7 4s. (\$14.40), made up of a "needs" rate of £6 14s. (\$13.40) and the loadings

* *Commonwealth Arbitration Reports*, Vol., 33 p. 947.

† 65 C.A.R., p. 573.

of 7s. (70c) for "Freight Costs" and 3s. (30c) for "Prosperity" loading. This represented an increase of 6s. (60c) over the basic wage calculated on the former basis.

Consequent upon the decision of the Commonwealth Court of Conciliation and Arbitration in the 1949-50 Basic Wage Inquiry (*see* page 103), an interim increase of £1 2s. (\$2.20) a week, payable from the first pay-period in December, 1950, was authorized pending a special inquiry into the fixation of a new basic wage for the Northern Territory.* After the inquiry, and as a result of agreement between employers and employees, the Court fixed the basic wage at £10 10s. (\$21) a week, operative from the beginning of the first pay-period commencing in November, 1951.† The Port Augusta Special "All Items" Index (*see* page 134) was retained as the basis for quarterly adjustments. Subsequently, a special loading of 7s. (70c) a week was added to the wage rates in a number of awards.

Quarterly adjustments continued to operate until August, 1953. They were suspended by the Court's decision of 12th September, 1953, as a result of the 1953 Basic Wage Inquiry. Since then, the uniform increases made to the basic wage by the Court and the Conciliation and Arbitration Commission have applied. The basic wages payable to adult males since December, 1950, are shown in Section IX of the Appendix. The adult female basic wage rates are 75 per cent. of those for adult males. To these rates must be added the 7s. (70c) special loading mentioned above.

5. State Basic Wages.—(i) *General.* Basic wage declarations for adult males and adult females made by State industrial tribunals are shown in Section X of the Appendix.

(ii) *New South Wales.* The first determination under the New South Wales Industrial Arbitration Act of a standard "living" wage for adult male employees was made on 16th February, 1914, when the Court of Industrial Arbitration fixed the "living" wage at £2 8s. (\$4.80) a week for adult male employees in the metropolitan area. A Board of Trade established in 1918 with power to determine the living wage for adult male and female employees in the State, made numerous declarations during the period 1918 to 1925, but ceased to function after the Industrial Arbitration (Amendment) Act, 1926, transferred its powers, as from 15th April, 1926, to the Industrial Commission of New South Wales. The Industrial Arbitration (Amendment) Act, 1927, altered the constitution of the Industrial Commission from a single Commissioner to one consisting of three members. Act No. 14 of 1936, however, provided for the appointment of four members and Act No. 36 of 1938 for the appointment of not less than five and not more than six members. The Commission was directed, *inter alia*, "not more frequently than once in every six months to determine a standard of living and to declare . . . the living wage based upon such standard for adult male and female employees in the State". The Industrial Arbitration (Amendment) Act, 1932, directed the Commission within twenty-eight days from the end of the months of March and September to adjust the living wages so declared to accord with the increased or decreased cost of maintaining the determined standard. The first declaration of the Commission was made on 15th December, 1926, when the rate for adult males was fixed at £4 4s. (\$8.40) a week, the same rate as that previously declared by the Board of Trade. The adult male rate was determined on the family unit of a man, wife and two children from 1914 to 1925; a man and wife only in 1927, with family allowances for dependent children; and a man, wife, and one child in 1929, with family allowances for other dependent

* *Commonwealth Arbitration Reports*, Vol. 69, p. 836.

† 72 C.A.R., p. 113.

children. However, with the adoption in 1937 of the Commonwealth basic wage (*see below*), the identification of a specified family unit with the basic wage disappeared.

A living wage for adult male rural workers of £3 6s. (\$6.60) a week was in force for twelve months from October, 1921, and a rate of £4 4s. (\$8.40) operated from June, 1927, to December, 1929, when the power of industrial tribunals to fix a living wage for rural workers was withdrawn. This power was restored by an amendment to the Industrial Arbitration Act made in June, 1951.

Following the judgment of the Commonwealth Court of Conciliation and Arbitration of 23rd June, 1937 (*see page 102*), the State basic wage was brought into line with the Commonwealth rates ruling in the State by an amendment of the Industrial Arbitration Act (No. 9 of 1937) which came into operation from the commencement of the first pay-period in October, 1937. Provision was made for the automatic adjustment of wages in conformity with variations of retail prices as shown by the Commonwealth Court's "All Items" Retail Price Index numbers, and the Commonwealth Court's principle of treating the "Prosperity" loadings as a separate and non-adjustable part of the total basic wage was adopted. The rates for country towns were, with certain exceptions, fixed at 3s. (30c) a week below the metropolitan rate; and Crown employees, as defined, received a "Prosperity" loading of 5s. (50c) a week, as against the 6s. (60c) laid down for employees in outside industry. The basic rate for adult females was fixed at 54 per cent. of the adult male rate, to the nearest sixpence. The provisions of the main Acts for the periodic declaration of the living wage by the Industrial Commission were repealed, but the amending Act placed on the Commission the responsibility of altering all awards and agreements in conformity with the intentions of the new Act; of defining boundaries within which the various rates were to operate; and of specifying the appropriate "Court" Series retail price index numbers to which they were to be related.*

An amendment to the Industrial Arbitration Act (No. 38 of 1950), empowered the Industrial Commission to vary the terms of awards and industrial agreements affecting male rates of pay, to the extent to which the Commission thought fit, to give effect to the alteration in the basic wage for adult males made by the judgment of the Commonwealth Court of Conciliation and Arbitration of 12th October, 1950. In the case of female rates of pay the Commission was empowered to review the terms of awards and industrial agreements and to vary such terms as in the circumstances the Commission decided proper, but no variation was to fix rates of pay for female employees lower than the Commonwealth basic wage for adult females. The rates for adult males were increased by the same amounts as for the corresponding Commonwealth rates, with special provision to cover the cases of apprentices, casual workers and employees on piecework. In deciding the variation for female employees the Commission prescribed an increase in the total wage rate (i.e. basic wage plus marginal rate) of £1 4s. 6d. (\$2.45) a week, subject to the statutory provision that the minimum total rate was to be not less than the basic wage for adult females prescribed in Commonwealth awards, that is, at least 75 per cent. of the corresponding male basic wage rate. For Sydney, the rate was £6 3s. 6d. (\$12.35) a week.

In the judgment delivered on 9th March, 1951,† giving reasons for its decision on female rates, the Commission decided that the basic wage for adult females prescribed by the Commonwealth Court in reality included a portion "due to

* *New South Wales Industrial Gazette*, Vol. 52, pp. 783-4.

† *New South Wales Arbitration Reports*, 1951, p. 16.

secondary considerations", and could not be considered a "reasonable and proper basic wage for the assessment of rates of female employees under the Industrial Arbitration Act".

In discussing the composition of the amount of £6 3s. 6d. (\$12.35) the Commission stated that it was "reasonable to allocate £1 [\$2] of the said sum . . . to secondary considerations and to regard the amount of £1 4s. 6d. [\$2.45] as an addition proper to be made to the pre-existing basic wage in New South Wales of £3 19s. [\$7.90]", and that the total, £5 3s. 6d. (\$10.35), therefore became the true female basic wage for Sydney under the State Act. (This decision of the Commission was superseded by an amendment of the Act in 1958—see below.)

As a consequence of the over-riding statutory requirement that no rate for adult females in State awards should fall below the Commonwealth basic wage for adult females, the amount of the quarterly adjustments to the female basic wage for changes in the "Court" Series index numbers was the same in Commonwealth and State awards.

By the Industrial Arbitration (Basic Wage) Act, 1951, the differentiation in the basic wage rates in different districts and for employees under Crown awards was eliminated as a general rule, making the basic wage throughout most of the State equal to that paid in Sydney. The main exception was the Broken Hill district, where a different basic wage rate prevailed until the Act was amended in 1961 (see page 138).

After considering the decision of the Commonwealth Court of Conciliation and Arbitration in September, 1953, to discontinue the system of automatic adjustment of the basic wage, the New South Wales Industrial Commission, on 23rd October, 1953, stated that there had been an alteration in the principles upon which the Commonwealth basic wage was computed and ordered the deletion of the automatic adjustment clauses from awards and agreements within its jurisdiction.* In October, 1955, however, the Industrial Commission was required by the Industrial Arbitration (Basic Wage) Amendment Act to restore, to all awards and agreements within its jurisdiction, quarterly adjustments of the basic wage consequent on variations in the "C" Series retail price index numbers. Subsequently, the basic wage was adjusted as from the beginning of the first pay-period commencing in November, 1955, when the rates for the State, excluding Broken Hill, became £12 13s. (\$25.30) for adult males and £9 9s. 6d. (\$18.95) for adult females. The new rate for adult males was an increase of 10s. (\$1) on the rate previously payable from August, 1953, and represented the full increase in the basic wage adjusted in accordance with movements in the "C" Series Retail Price Index numbers between the June quarter, 1953, and the September quarter, 1955.

The Industrial Arbitration Act was amended by the Industrial Arbitration (Female Rates) Amendment Act, 1958, which became operative on 1st January, 1959. The Act defined the existing basic wage for adult females as being 75 per cent. of the male basic wage, notwithstanding anything contained in the 1950 judgment of the Industrial Commission of New South Wales (see page 136), and the Commission should upon application, or might of its own motion, vary existing awards or industrial agreements to give effect to this definition. Such a variation is not to prescribe a wage rate less than the sum of the newly defined basic wage plus the marginal or secondary amounts applicable immediately prior to this variation, or more than the wage payable to adult males performing similar work.

* *New South Wales Industrial Gazette*, Vol. 111, p. 128.

Upon application the Commission or a Conciliation Committee shall include in awards and industrial agreements provision for equal pay between the sexes. Where the Commission or Committee is satisfied that male and female employees are performing work of the same or a like nature and of equal value, they shall prescribe the same marginal or secondary rates of wage. The basic wage for these adult females was prescribed as 80 per cent. of the appropriate basic wage for adult males as from 1st January, 1959. Thereafter, the basic wage was to be increased annually by 5 per cent., so that on 1st January, 1963, it became the same as that for adult males. The provisions for equal pay do not apply to persons engaged on work essentially or usually performed by females, but upon which males may also be employed.

The Industrial Arbitration (Amendment) Act, 1961 (assented to on 13th October, 1961) adopted the Consumer Price Index numbers in place of the "C" Series Retail Price Index numbers for purposes of the automatic quarterly adjustment of the basic wage. The November, 1961, variation was the first based on the Consumer Price Index. Consumer Price Index numbers relate only to capital cities and the weighted average for the six capitals and as a result the Sydney basic wage became the rate for the whole of New South Wales, separate rates no longer being prescribed for Broken Hill and the "Five Towns" after November, 1961.

In October, 1964, the Industrial Arbitration (Amendment) Act, 1964 fixed the State basic wages for adult males and adult females at the levels of the then current Commonwealth basic wage for Sydney i.e., £15 15s. (\$31.50) and £11 16s. (\$23.60) a week respectively, to operate from the beginning of the first pay-period which commenced on or after 19th June, 1964. Any provisions in State awards and industrial agreements for adjustments in the basic wages in accordance with fluctuations in the Consumer Price Index were to be deleted. The Act provided that the Commonwealth basic wage for Sydney, as declared by the Commonwealth Conciliation and Arbitration Commission under the provisions of the Metal Trades Award, would in future apply to State awards and industrial agreements.

A table showing the New South Wales State basic wage rates for Sydney from 1914 to date will be found in Section X. of the Appendix.

(iii) *Victoria.* There is no provision in Victorian industrial legislation for the declaration of a State basic wage. Wages Boards constituted from representatives of employers and employees and an independent chairman, for each industry group or calling, determine the minimum rate of wage to be paid in that industry or calling. In general, these Boards have adopted a basic wage in determining the rate of wage to be paid.

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

After the Commonwealth Court of Conciliation and Arbitration discontinued the system of automatic adjustment of the Commonwealth basic wage (*see* page 104), a number of Wages Boards met in September, 1953, and deleted references to these adjustments. However, an amendment to the Factories and Shops Act in November, 1953 required Wages Boards to provide for the automatic adjustment of wage rates in accordance with variations in retail price index numbers.

From 1st July, 1954, the *Factories and Shops Act* 1928 as amended (to 1953) was replaced by the *Labour and Industry Act* 1953, which was, in general, a consolidation of the previous Acts and retained the requirement providing for the automatic adjustment of wages in accordance with variations in retail price index numbers.

An amendment to the Labour and Industry Act proclaimed on 17th October, 1956, deleted the automatic adjustment provision and directed Wages Boards in determining wage rates to take into consideration relevant awards of, or agreements certified by, the Commonwealth Conciliation and Arbitration Commission. The last automatic quarterly adjustment of the basic wage, based on the variation in retail price index numbers for the June quarter, 1956, became payable from the beginning of the first pay-period in August, 1956. Following the judgment of the Commonwealth Conciliation and Arbitration Commission in the 1961 Basic Wage Inquiry (*see* page 109), Wages Boards met in July and August, 1961, and varied their determinations by incorporating the new Commonwealth rates.

A table showing basic wage rates for Melbourne used generally by Wages Boards will be found in Section X of the Appendix.

(iv) *Queensland*. "The Industrial Conciliation and Arbitration Act of 1929" established an Industrial Court, and provided that the Court could make declarations as to the basic wage and standard hours. This Act, as subsequently amended, was repealed by "The Industrial Conciliation and Arbitration Act of 1961", which established, in addition to the Industrial Court, an Industrial Conciliation and Arbitration Commission. The Full Bench of the Commission, consisting of not less than three Commissioners, may make declarations as to, *inter alia*, the basic wage for males and/or females and the standard hours of work.

The main provisions to be observed by the Commission when making general declarations as to the basic wage are—(a) All persons interested must be given an opportunity to be heard before any such general declaration can be made; (b) the minimum wage of an adult male employee shall be not less than is sufficient to maintain a well-conducted employee of average health, strength and competence, and his wife and a family of three children in a fair and average standard of comfort, having regard to the conditions of living prevailing among employees in the calling in respect of which such minimum wage is fixed, and provided that the earnings of the children or wife of such employee shall not be taken into account; (c) the minimum wage of an adult female employee shall be not less than is sufficient to enable her to support herself in a fair and average standard of comfort, having regard to the nature of her duties and to the conditions of living prevailing among female employees in the calling in respect of which such minimum wage is fixed; (d) the Commission shall, in the matter of making declarations in regard to the basic wage or standard hours, take into consideration the probable economic effect of such declaration in relation to the community in general, and the probable economic effect thereof upon industry or any industry or industries concerned.

The first formal declaration of a basic wage by an industrial tribunal in Queensland was gazetted on 24th February, 1921, when the basic wage was declared at £4 5s. (\$8.50) a week for adult males and £2 3s. (\$4.30) for adult females. Prior to this declaration the rate of £3 17s. (\$7.70) a week for adult males had been generally recognized as the "basic" or "living" wage.

On 15th April, 1942, the Court declared the rates operative from 31st March, 1941, as adequately meeting the requirements of section 9 of "*The Industrial Conciliation and Arbitration Act of 1932*", having regard to the level of the "C" Series Retail Price Index for Brisbane for the December quarter, 1941, and decided to make a quarterly declaration of the basic wage on the basis of the variations in the "cost of living" as disclosed by the "C" Series index for Brisbane, commencing with the figures for the March quarter, 1942. This declaration was duly made by the Court on 21st April, 1942 at the rates of £4 11s. (\$9.10) for adult males and £2 9s. 6d. (\$4.95) for adult females. Following this judgment regular quarterly adjustments were made to the basic wage until January, 1953 (*see below*).

The Court granted increases of 7s. (70c) and 5s. (50c) to the basic wages for adult males and adult females respectively, payable from 23rd December, 1946, following the "Interim" Basic Wage Judgment of the Commonwealth Court of Conciliation and Arbitration announced earlier in December, 1946 (*see page 103*).

Following the decision of the Commonwealth Court of Conciliation and Arbitration to increase the male and female basic wages from December, 1950 (*see page 103*), the Queensland Industrial Court conducted an inquiry as to what change should be made to the State basic wage for Queensland and granted an increase of 15s. \$1.50 a week to both adult males and adult females, thus increasing the metropolitan rates to £7 14s. (\$15.40) a week and £5 2s. 6d. (\$10.25) a week respectively, operative from 7th December, 1950. The basic wage payable to adult females became approximately 66 per cent. of the male rate.*

In January, 1953 the Queensland Industrial Court departed from the practice (established in 1942) of varying the basic wage in accordance with quarterly variations in the "C" Series Retail Price Index numbers for Brisbane. If the practice had been continued, a reduction of 1s. (10c) would have been made in the basic wage for adult males from January, 1953. The Court was not satisfied, however, that the movement in the "C" Series index for Brisbane for the December quarter, 1952, was a true representation or reflex of the economic position for Queensland as a whole and so declined to make any alteration to the basic wage.†

Quarterly adjustments were made for the next four quarters and the basic wage became £11 5s. (\$22.50) for adult males from 1st February, 1954.

Commencing in March, 1954, a Basic Wage Inquiry was conducted by the Court and in its judgment of 11th June, 1954‡ the Court stated that there would be no change in the basic wage rates declared for February, 1954. For the following four quarters also the Court decided not to vary the existing basic wage rates. However, after considering the "C" Series index number for the quarter ended 30th June, 1955, and its relation to the index number for the March quarter, 1955, the Court announced that as these figures showed a continued upward trend the basic wage for adult males should be increased to

* *Queensland Industrial Gazette*, Vol. 35, p. 1253.

† 38 *Q.I.G.*, 137.

‡ 39 *Q.I.G.*, 355.

£11 7s. (\$22.70) from 1st August, 1955. In this judgment the Court emphasized that it held itself free whether or not to adjust the basic wage upwards or downwards in accordance with movements in the "C" Series Retail Price Index numbers. During the next year increases were granted in three of the four quarters.

In announcing an increase of 4s. (40c) in the adult male basic wage for Brisbane, payable from 29th October, 1956, the Court stated that the considerable increases in the "C" Series index numbers for the September quarter, 1956, were due substantially to the abnormal increases in the prices of potatoes and onions, and therefore, under the circumstances, it decided not to increase the basic wage on the basis of the "C" Series Retail Price Index numbers including potatoes and onions.

Consequent on the issue of the index numbers for the December quarter, 1956, the Court announced that there would be no change in the basic wage and stated: "The existing Basic Wage of £12 Is. [\$24.10] for adult males truly reflects the increase in the 'C' Series index as shown between the June quarter and the end of the December quarter".*

In the following four years increases were made each quarter, except in October, 1957, and August, 1959.

On 22nd and 23rd April, 1958, the Court heard an application by combined unions for an immediate increase of £1 (\$2) in the basic wage, on the ground that a state of emergency existed with regard to the cost of living. In its judgment of 30th May, 1958, the Court dismissed the application.

In December, 1960, the Court determined that as from 1st May, 1961, the basic wage for adult females should be 75 per cent. of that for adult males.†

In its basic wage declaration of 25th January, 1961, the Court referred to the fact that for current statistical purposes variations in retail prices were measured by the Consumer Price Index. Taking into consideration all relevant factors, including the approximate increase in price levels as disclosed by the Consumer Price Index, the Court decided to increase the basic wage for adult males by 4s. (40c).

Following an inquiry, the Commission, in a decision issued on 24th May, 1961, increased the adult male basic wage by 4s. (40c) a week, which was approximately the amount of the increase indicated by the Consumer Price Index for March quarter, 1961.

In September, 1961, the Commission heard an application by employer organizations for a declaration of a general ruling that the basic wage for males and/or females should not be reviewed merely by reason of any change in the Consumer Price Index at intervals of less than 12 months. The application was opposed by the trade unions generally. In a judgment delivered on 14th November, 1961,‡ the Commission refused the employers' application. An appeal to the Industrial Court against this decision was dismissed on 10th July, 1962.

An inquiry held in November and December, 1962, dealt with an application by unions for increases of £1 4s. (\$2.40) in the adult male basic wage and 18s. (\$1.80) in the adult female basic wage. The application was opposed by employer organizations generally, by the State of Queensland and by the Queensland Commissioner for Railways. Judgment was given on 20th December, 1962,§ the application being refused.

* Queensland Industrial Gazette, Vol. 42, p. 167.
Government Industrial Gazette, Vol. 49, p. 23.

† 46 Q.I.G., 475.
§ 52 Q.G.I.G., 27.

‡ Queensland

A further application was made by trade unions for a declaration of a basic wage, and an inquiry was held in April, 1963. Employers generally opposed the application, and the State of Queensland, while adopting a neutral attitude, submitted information for the assistance of the Commission. In a judgment delivered on 26th April, 1963,* the Commission increased the basic wage, in accordance with the movement in the Consumer Price Index, by 2s. (20c) for adult males and by 1s. 6d. (15c) for adult females from 6th May, 1963.

On 23rd June, 1964, the Commission began hearing four applications by unions to alter the basic wage. The Queensland Government and the employers agreed that there should be an upward movement in the adult male basic wage but limited to 4s. (40c), which would take into consideration movement in prices as shown by the Consumer Price Index for March quarter 1964. This increase would bring the State basic wage for Brisbane to the same amount as the Commonwealth basic wage for Brisbane, namely £14 10s. (\$29). The Commission on 7th July, 1964†, unanimously increased the basic wage by 14s. (\$1.40) to £15 (\$30) a week for adult males. The increase took effect on and from 13th July, 1964.

In a declaration on 23rd September, 1964‡, the Commission, after an inquiry, refused to increase the basic wage, despite movement in the Consumer Price Index for the June quarter, 1964, which would have justified an increase of 2s. (20c), on the grounds that such an increase would constitute a very ineffective addition to the wages of employees.

On 30th November, 1964, the Commission began hearing applications filed by unions and employer associations. The unions claimed increases of 6s. (60c) and 4s. 6d. (45c) a week for adult males and adult females respectively on the basis of movements in the Consumer Price Index for the June and September quarters, 1964. The employer associations claimed that the Commission should re-affirm its decision of 7th July, 1964, (see above) and declare as a matter of policy that it would not review the basic wage until the Commonwealth Conciliation and Arbitration Commission decided to alter the existing Commonwealth basic wage. The Commission, in its decision of 3rd December, 1964,§ granted the increases claimed by the unions. Commenting on the employer associations' claims, the Commission stated that, although the Commonwealth basic wage determined the State basic wage in all States except Queensland and Western Australia, the Commission had never fixed the State basic wage only in relation to the basic wage in other States or the Commonwealth basic wage and could therefore see no reason why a decision should be made at this time to withhold a hearing for review pending the review of the Commonwealth basic wage.

Trade unions applied in January, 1965, for a further increase in the basic wage consequent upon the upward movement in the Consumer Price Index since the last declaration. Following the hearing of unions' claims the Commission increased the adult male wage by 3s. (30c) a week and the adult female wage by 2s. 6d. (25c) a week, effective as from 29th March, 1965.|| In its judgment the Commission stated that it had been decided as a matter of policy that, in the future, it did not propose to deal with an application to vary the basic wage solely because of a change in the Consumer Price Index unless such a change warranted an alteration of 4s. (40c) or more in the basic wage for adult males.

* *Queensland Government Industrial Gazette*, Vol. 53, p. 51.
 † 57 *Q.G.I.G.*, 170. § 57 *Q.G.I.G.*, 376. || 58 *Q.G.I.G.*, 570.

† 56 *Q.G.I.G.*, 311-312.

In July, 1965, trade unions applied to the Commission to vary the basic wage on the grounds that recent rises in the Consumer Price Index warranted an increase of more than 4s. (40c) a week in the basic wage. In its judgment of 2nd September, 1965, a majority of the Commission rejected the unions' claim for 6s. (60c) a week, but granted an increase of 5s. (50c) a week, effective from 20th September, 1965. As a matter of policy the Commission further decided not to review the basic wage again before 1st July, 1966.

The basic wage rates payable in the Southern Division (Eastern District) from 1921 to date will be found in Section X of the Appendix.

In addition to the basic wage for the Southern Division (Eastern District—including Brisbane), adult males in other areas receive district allowances. As from 2nd February, 1959, the allowances have been:—Southern Division (Western District), 10s. 6d. (\$1.05), Mackay Division, 9s. (90c), Northern Division (Eastern District), 10s. 6d. (\$1.05); and Northern Division (Western District), £1 12s. 6d. (\$3.25). From May, 1961, the allowances for adult females were increased from 50 per cent. to 75 per cent. of those for adult males.

(v) *South Australia.* The Industrial Code, 1920–1963 provides that the Board of Industry shall, after public inquiry as to the increase or decrease in the average cost of living, declare the “living wage” to be paid to adult male employees and to adult female employees. The living wage is defined as “a sum sufficient for the normal and reasonable needs of the average employee living in the locality in which the work under consideration is done or is to be done”. The family unit is not specifically defined in the Code, but the South Australian Industrial Court decided in 1920 that the “average employee” in respect of whom the adult male living wage is to be declared is a man with a wife and three children. However, the concept of a family unit has disappeared with the adoption of basic wage rates declared by the Commonwealth Conciliation and Arbitration Commission (*see below*).

The Board of Industry has power to fix different rates to be paid in different parts of the State and the Code also provides that the Board shall hold an inquiry for the purpose of declaring the living wage whenever a substantial change in the cost of living or any other circumstance has, in the opinion of the Board, rendered it just and expedient to review the question of the living wage, but a new determination may not be made by the Board until the expiration of at least six months from the date of its previous determination.

The Board of Industry consists of a President (who shall be the President or Deputy President of the Industrial Court of South Australia) and four commissioners, two of whom shall be representatives of employers and two representatives of employees.

The first declaration by the Board of Industry operated from 4th August, 1921, when the living wage for adult male employees in the metropolitan area was determined at £3 19s. 6d. (\$7.95) a week. The living wage of £1 15s. (\$3.50) a week for adult female employees in the same area was declared to operate from 1st September, 1921.

Following the declaration of an “interim” increase in its “needs” basic wage by the Commonwealth Court of Conciliation and Arbitration on 13th December, 1946 (*see page 103*) the South Australian Government made provision through the Economic Stability Act, 1946 for the declaration by the Governor of a living wage based on the Commonwealth basic wage for Adelaide. This action was taken because the Board of Industry had made a determination on 5th September, 1946, and under the Industrial Code was

not able to make a further determination for six months. On 24th December, 1946 the Governor issued a proclamation, declaring a rate of £5 2s. (\$10.20) a week for adult males, including the 4s. (40c) "Prosperity" loading, to operate from 7th January, 1947. The Act also provided for similar proclamations in respect of adjustments to the living wage; however, the powers of the Board of Industry to declare a living wage, which would supersede any wage declared by proclamation, were retained.

On 24th May, 1947, the Board of Industry recommended, after an inquiry, that a loading of 5s. (50c) a week, over the living wage for the rest of South Australia should apply to adult males located at Whyalla and adjacent areas. This amount, to compensate for the higher cost of living, was subsequently adopted and continues to operate.

The Industrial Code Amendment Act, 1949 made provision for the quarterly adjustment of the living wage in accordance with the variations in the Commonwealth basic wage for Adelaide. In effect this made the State living wage and the Commonwealth basic wage equal from the beginning of the first pay-period commencing in February, 1950. The prescribed adjustment to the female living wage was seven-twelfths of that made to the Commonwealth male basic wage. The Board of Industry retained power to amend the living wage but any new living wage was to be adjusted quarterly as above.

Following the decision of the Commonwealth Court of Conciliation and Arbitration in the 1949-50 Basic Wage Inquiry (see page 103), the South Australian Industrial Code was amended to provide for declarations of the living wage by proclamation, to prevent unjustifiable differences between the Commonwealth and State basic wages. By proclamation dated 30th November, 1950, the South Australian living wage was increased from £6 17s. (\$13.70) to £7 18s. (\$15.80) for adult males and from £3 14s. 11d. (\$7.49) to £5 18s. 6d. (\$11.85) for adult females, operative from 4th December, 1950. These new rates were identical with the December rates fixed by the Commonwealth Court of Conciliation and Arbitration for the metropolitan area of South Australia. The female rate was, by the proclamation, increased from approximately 55 per cent. to 75 per cent. of the corresponding male basic wage.

The living wage for South Australia was adjusted each quarter, as required under the State Industrial Code, in accordance with variations in the Commonwealth basic wage for Adelaide until the August, 1953, adjustment. After the Commonwealth Court of Conciliation and Arbitration announced the discontinuance of quarterly adjustments, the Commonwealth basic wages for Adelaide, and consequently the State basic wages, remained unchanged from the beginning of the first pay-period commencing in August, 1953, until the first pay-period in June, 1956, when an increase of 10s. (\$1) a week was granted to adult males and an increase of 7s. 6d. (75c) to adult females. Subsequent increases have been the same as those made to the Commonwealth rates as the result of Basic Wage Inquiries.

A table showing the South Australian basic wage rates for the State (with the exception of Whyalla and adjacent areas), from 1921 will be found in Section X of the Appendix.

(vi) *Western Australia.* Prior to 1963 the Court of Arbitration appointed under the provisions of the *Industrial Arbitration Act, 1912-1961* determined and declared the "basic wage" in this State. The Court consisted of three members appointed by the Governor, one on the recommendation of the industrial unions of employers, and one on the recommendation of the industrial

unions of employees, while the third member, a Judge of the Supreme Court, was to be the President.

The *Industrial Arbitration Act, 1912-1961* provided that the Court of Arbitration could determine and declare a basic wage at any time on its own motion, and must do so when requested by a majority of industrial unions or by the Western Australian Employers' Federation, with the limitation that no new determination should be made within twelve months of the preceding inquiry. The Court had jurisdiction to declare differential basic wages to be paid in respect of special or defined areas of the State. In fact the Court, from August, 1931 to December, 1963, declared separate basic wage rates for three areas of the State, namely—(a) the Metropolitan area, (b) South-West Land Division, and (c) the Goldfields Areas and other parts of the State.

The term "basic wage" was defined in the Act as "a wage which the Court considers to be just and reasonable for the average worker to whom it applies". In determining what was just and reasonable the Court was obliged to take into account not only the needs of an average worker but also the economic capacity of industry and any other matters the Court deemed relevant. The family unit in relation to the adult male basic wage was not specifically defined in the Act, but it became the practice of the Court to take as a basis for its calculations a man, his wife and two dependent children.

The Act provided that the Court of Arbitration may make adjustments to the basic wage each quarter if the official statement supplied to the Court by the State Government Statistician relating to the "cost of living" showed that a variation of 1s. (10c) or more a week had occurred, compared with the preceding quarter. These adjustments applied from the dates of declaration by the Court. The Act did not define the term "cost of living", but it was defined by Mr. Justice Dwyer, in the Court of Arbitration, Western Australia, in the matter of the Quarterly Adjustment of the Basic Wage, 18th August, 1931,* to mean "the basic wage as declared from time to time by the Court and as existing at the time that we (the Court) have taken into consideration the Statistician's figures".

Prior to 1950 the legislation differed from that outlined above. Particulars of the previous legislation will be found in issues of the Labour Report prior to No. 39, 1950.

The first declaration of the "basic wage" by the Court of Arbitration since the authority to fix one was vested in the Court by the *Industrial Arbitration Act, 1925*, operated from 1st July, 1926. The rate for adult male employees was £4 5s. (\$8.50) a week, and for adult female employees £2 5s. 11d. (\$4.59) a week. Since that date the principal inquiries have been those of 1938, 1947, 1950, 1951 and 1964.

The declaration of 13th June, 1938, (operative from 1st July) was based on the findings of the Royal Commission on the Basic Wage, 1920. For this purpose the Court reduced the amount recommended by the Commission for a five-unit family to the equivalent for a four-unit family and brought the resulting amounts up to their equivalents at the March quarter, 1938, by means of movements in the separate "group" retail price index numbers in respect of the sections for food, clothing and miscellaneous expenditure, and for rent added an amount which was considered fair under ruling conditions.†

* *Western Australian Industrial Gazette*, Vol. 9, p. 166.

† 18 *W.A.I.G.*, p. 151.

The increased basic wage of 26th February, 1947, was granted after an inquiry* by the Western Australian Court of Arbitration consequent upon the "Interim" Basic Wage Judgment of the Commonwealth Court of Conciliation and Arbitration in December, 1946 (*see* page 103).

Following the judgment of the Commonwealth Court of Conciliation and Arbitration in the 1949–50 Basic Wage Inquiry (*see* page 103), the Western Australian Court of Arbitration resumed an inquiry which had been adjourned, to ascertain what change should be made in the State basic wage rates. In its judgment of 7th December, 1950,† the Court decided that the basic wage should be increased by £1 (\$2) a week for adult males and by 15s. (\$1.50) a week for adult females. The rates in the metropolitan area then became £8 6s. 6d. (\$16.65) for adult males and £4 14s. 1d. (\$9.41) for adult females, operative from 18th December, 1950. The unions' claim for a female basic wage equal to 75 per cent. of the male rate instead of the existing 54 per cent. was not granted, but it was intimated that the increase of 15s. (\$1.50) should not necessarily be regarded as the Court's final word on the subject.

As the result of a subsequent inquiry‡ the basic wage for adult females was increased from 1st December, 1951, to 65 per cent. of the corresponding male rate. This was subject to the condition that the increase in the basic wage should be offset by the reduction in or deletion of existing margins between the basic wage and the total wage as specified by the appropriate award or determination.

Following the decision of the Commonwealth Court of Conciliation and Arbitration to discontinue quarterly adjustments (*see* page 104) the Western Australian Court of Arbitration exercised its discretionary power and, after reviewing the quarterly statements prepared by the Government Statistician for each quarter from the September quarter, 1953, to the March quarter, 1955, declined to make, where applicable, any adjustment to the basic wage. However, after reviewing the statement submitted by the Government Statistician for the quarter ended 30th June, 1955, the Court decided to increase the basic wage for Perth by 5s. 11d. (59c) a week for adult males and to make corresponding increases for the other areas in the State. Subsequently, adjustments were made to the basic wage each quarter, except in February, 1959, and February, 1960, when no change was made.

In a decision issued on 30th January, 1960, the Court, acting in recognition of agreement between representatives of unions and employers, increased the basic wage for adult females from 65 per cent. to 75 per cent. of the adult male rate.§ The increased rates were payable from the beginning of the first pay-period commencing on or after the above date. Simultaneously, various awards of, and agreements registered with, the Court were varied to provide that where margins for adult females were equal to or greater than the increase in the female basic wage they would be correspondingly reduced, and where they were less than the increase they would be deleted.

Amendments to the Industrial Arbitration Act, passed in 1963, became effective on 1st February, 1964. The Act provided that the fixation and adjustment of the basic wage would be dealt with by the Commission in Court Session (three Commissioners) instead of the former Court of Arbitration.

* *Western Australian Industrial Gazette*, Vol. 27, p. 39.
 ‡ 36 *W.A.I.G.*, p. 497.

§ 40 *W.A.I.G.*, p. 61.

† 30 *W.A.I.G.*, p. 336.

In April, 1964,* the Commission, in exercising the same discretionary powers held by the former Court of Arbitration, unanimously increased the basic wage for adult males by 2s. 8d. (27c) a week for the metropolitan area and the rest of the South-West land division and 2s. 7d. (26c) a week for the Goldfields area and all other parts of the State.

The Commission on 22nd July, 1964, began a General Inquiry following union submissions for an increase of £2 12s. (\$5.20) in the basic wage for adult males. On 22nd September, 1964† the Commission announced its decision that the basic wage for the whole of the State would be £15 8s. (\$30.80) for adult males with appropriate rates for females, juniors and apprentices. This decision abolished the differential rates applying to different areas of the State which had operated since 1931. Subsequently, the Commission reduced the industry allowance in the goldmining industry awards from 30s. (\$3) to 22s. 6d. (\$2.25) per week.

The basic wage for the whole of the State was further increased by 3s. 2d. (32c) a week for adult males and 2s. 5d. (24c) for adult females in October, 1964,‡ by 3s. 6d. (35c) for adult males and 2s. 7d. (26c) for adult females on 26th April, 1965,§ and by 1s. 9d. (18c) for adult males and 1s. 3d. (12c) for adult females on 16th November, 1965, following the Commission's examination of the movements in the Consumer Price Index.

A table showing the West Australian State basic wages for the Perth Metropolitan area from 1926 to date will be found in Section X of the Appendix.

(vii) *Tasmania*. A State basic wage is not declared in Tasmania. Under the *Wages Boards Act* 1920 as amended (to 1964), Wages Boards are constituted for a number of industries, from representatives of employers and employees and an independent chairman (who is common to all Wages Boards), with power to determine the minimum rates of wage payable in each industry. Until February, 1956, these Boards generally adopted the basic wages of the Commonwealth Court of Conciliation and Arbitration in determining the rates of wage to be paid.

Wages Boards have power to adjust wage rates in accordance with variations in the cost of living as indicated by retail price index numbers published by the Commonwealth Statistician and, until November, 1953, Wages Boards' determinations provided for automatic adjustments of the basic wage. Following the decision of the Commonwealth Court in September, 1953, to discontinue the system of automatic quarterly adjustments of the basic wage, the Chairman of Wages Boards stated: "I consider that the basic wage should remain stationary for a reasonable trial period but if a serious attempt is not made to stabilize prices and in some cases to reduce them, applications can be made for meetings of Wages Boards to reconsider the position." Before Wages Boards met to consider this matter, the wage rates for all determinations were automatically adjusted upwards from the beginning of the first pay-period in November, 1953. However, after meeting, all Wages Boards decided to delete the automatic adjustment clause from determinations as from 9th December, 1953, and to cancel the adjustments made in November.

During 1955 representations were made for the restoration of automatic quarterly adjustments and, on 1st November, 1955, at the conclusion of a compulsory conference of employer and employee representatives, the Chairman of Wages Boards announced that, in his opinion, automatic quarterly adjustments should be restored to Wages Boards' determinations. He suggested,

* *Western Australian Industrial Gazette*, No. 44, p. 89.
 † 44 *W.A.I.G.*, p. 665.

‡ 44 *W.A.I.G.*, pp. 545 to 605.
 § 45 *W.A.I.G.*, p. 151.

however, that the adjustments should be delayed until February, 1956, so that a serious attempt to reduce prices could be made during November, December and January. In accordance with this decision, Wages Boards met and re-inserted in determinations the provision for automatic quarterly adjustments. The wage rate payable under Wages Boards' determinations from the first pay-period in February, 1956, became that which would have been payable if quarterly adjustments had continued in the period under review.

Following the decision of the Commonwealth Court of Conciliation and Arbitration in the 1956 Basic Wage Inquiry (*see* page 105), the Employers' Federation requested that Wages Boards accept the Commonwealth basic wage and delete automatic adjustment provisions from their determinations. On 3rd July, 1956, the Chairman of Wages Boards issued a statement that he favoured the suspension of automatic adjustments in order to achieve some measure of stability. He added, however, that if prices continued to rise it would be necessary to review the position.

The majority of Wages Boards suspended quarterly basic wage adjustments after the August, 1956, adjustment and to July, 1959, wage rates remained unchanged. Following the decision of the Commonwealth Conciliation and Arbitration Commission in July, 1961, to increase the basic wage (*see* page 110), Wages Boards met in July and August, 1961, and incorporated the new rates in their determinations. During January, 1961, Wages Boards adopted the Hobart basic wage as the uniform rate applicable throughout the State.

During 1962 a number of Wages Boards met and varied determinations by making provision for the automatic adjustment of the basic wage to conform to any change in the basic wage determined from time to time in awards of the Commonwealth Conciliation and Arbitration Commission.

A table in Section X of the Appendix sets out Hobart basic wage rates, which were generally adopted by Wages Boards in Tasmania.

(viii) *Rates Prescribed.* State basic wage rates for adult males and adult females are shown for a long period of years in Section X of the Appendix. Current figures are published in the monthly bulletin *Wage Rates and Earnings*.

§ 6. Wage Margins.

1. *General.*—Wage margins have been defined as "Minimum amounts awarded above the basic wage to particular classifications of employees for the features attaching to their work which justify payments above the basic wage, whether those features are the skill or experience required for the performance of that work, its particularly laborious nature, or the disabilities attached to its performance". *

Marginal rates of wage are determined by Commonwealth and State industrial tribunals. In the Commonwealth jurisdiction, prior to 1954, the Commonwealth Court of Conciliation and Arbitration had not made any general determination in respect of wage margins, but general principles of marginal rate fixation had been enunciated by the Court in the Engineers' Case of 1924, the Merchant Service Guild Case of 1942 and the Printing Trades Case of 1947. Major determinations affecting margins were made in the Commonwealth jurisdiction in 1954, 1959, 1963 and 1965. The decisions of the Commonwealth Court and later the Commonwealth Conciliation and Arbitration Commission have generally been followed by State industrial tribunals in the determination of margins in State awards.

* *Commonwealth Arbitration Reports*, Vol. 80, p. 24.

A summary of the 1954, 1959 and 1963 Margins Cases is given in the following paragraphs. A summary of the judgment of the Commonwealth Conciliation and Arbitration Commission in the National Wage Cases, 1965, in which marginal increases were granted, will be found in §5. Basic Wages in Australia (see pages 99 to 148).

2. Metal Trades Case, 1954.—The Amalgamated Engineering Union, the Electrical Trades Union and other employee organizations which were parties to the Metal Trades Award, 1952, filed applications during 1953 for increased margins for all workers covered by this award.

The applications came on for hearing before J. M. Galvin, C.C., who decided that they raised matters of such importance that, in the public interest, they should be dealt with by the Commonwealth Court of Conciliation and Arbitration. On 16th September and 6th October, 1953 the Conciliation Commissioner, pursuant to section 14A of the Conciliation and Arbitration Act, referred these applications to the Court.

The actual claims of the trade unions were that the marginal rate of 52s. (\$5.20) a week payable to a fitter in the metal trades should be increased to 80s. (\$8) a week (86s. [\$8.60] for certain electrical trades) with proportionate increases for other award occupations. The margins then current, with a few exceptions, had been in existence since 1947. The employees' claims were in the nature of a test case to determine the attitude of the Court to applications for increased margins.

The Metal Trades Employers' Association and other respondents to the Metal Trades Award had counter-claimed that existing margins for skilled tradesmen should remain unaltered, while those paid to partly skilled or unskilled workers should be reduced.

The Court decided to take the Commissioner's two references together and the matter came on for hearing before the Full Arbitration Court (Kelly C.J., Kirby, Dunphy and Morgan J.J.) in Melbourne on 13th October, 1953.

In a judgment delivered on 25th February, 1954, the Court held that a *prima facie* case had been made for a re-assessment of margins but that the economic situation at that time, particularly in regard to the level of costs, did not permit of such a comprehensive review. The Court decided that to avoid the creation of new disputes, to save expense and to obviate procedural difficulties, it would not reject the claims but adjourn them until 9th November, 1954.

On 25th and 26th August, 1954, summonses were filed by the employees' organizations for orders that proceedings in this case be brought forward and the hearing was resumed on 5th October, 1954.

In a judgment delivered on 5th November, 1954,* the Court made an order re-assessing the marginal structure in the Metal Trades Award by, in general, raising the current amount of the margin to two and a half times the amount of the margin that had been current in 1937. However, in cases in which the result of that calculation produced an amount less than the existing margin the existing margin was to remain unaltered. In effect, this decision increased the margin of a fitter from 52s. (\$5.20) to 75s. (\$7.50) a week, increased similarly margins of other skilled occupations, and made no increase in margins of what may generally be described as the unskilled or only slightly skilled occupations under the Metal Trades Award. The new rates operated from the beginning of the first pay-period commencing on or after 13th December, 1954.

* *Commonwealth Arbitration Reports*, Vol. 80, p. 3.

At the end of its judgment the Court stated that while its decision in this case related immediately to one particular industry, it was expected to afford general guidance to all authorities operating under the Conciliation and Arbitration Act, or under other legislation which provided for tribunals having power to make references, or being subject to appeal, to the Court, where the wage or salary may properly be regarded as containing a margin. The Court added observations for the guidance of these and of other tribunals "which may regard decisions of this Court as of persuasive authority". Further details were published in Labour Report No. 46, 1958, pages 101-108.

3. Margins Cases, 1959.—On 25th August, 1959, the Commonwealth Conciliation and Arbitration Commission began considering a number of applications for increases in marginal rates. The Amalgamated Engineering Union and other employee organizations applied for increases in margins in Part I. of the Metal Trades Award. There were also applications by the Association of Architects, Engineers, Surveyors and Draughtsmen of Australia and the Federation of Scientific and Technical Workers for variation of the Metal Trades Award, Part II, and of the Aircraft Industry Award, Part II., by the Australian Bank Officials' Association regarding the Bank Officials' Award and by the Australian Workers Union regarding the Gold and Metalliferous Mining Award. Finally there was an application by the Metal Trades Employers' Association and others to reduce rates in the Metal Trades Award. All these matters were references under section 34 of the Conciliation and Arbitration Act from the appropriate Commissioner.

During a debate as to whether these matters should be heard together, it became apparent that the applicants in respect of Part II. of the Metal Trades and Aircraft Industry Awards and the Bank Officials' Award desired to ask only for an interim increase in margins at that stage. The employers submitted that the applicants should be required to submit their whole case. The Commission decided to hear all the matters together, permitting the applicants in these three cases to ask first for an interim decision, it being understood that those applicants would have to satisfy the Commission that a case had been made out for an interim increase.

On 27th November, 1959,* judgments were delivered in connection with two of the five cases before the Commission, namely, those concerning margins in the Metal Trades Award, Part I. and the Gold and Metalliferous Mining Award. This was done to avoid delay and to give parties to the other three cases the opportunity of making further submissions in the light of the decisions (and reasons for the decisions) in these two cases.

A summary of the Metal Trades Case, Part I., is given in the following paragraph. Extensive extracts from the judgment were printed in Labour Report No. 49, pages 133-137.

Metal Trades Award, Part I. The unions sought to have restored the relativities within the marginal structure of the Metal Trades Award which existed prior to the Metal Trades Case, 1954 (*see* para. 2, above). Their claim was for an increase in the margin of the fitter from 52s. (\$5.20) to 134s. (\$13.40) a week and an increase of 157 per cent. in the margins of other classifications. The employers counter-claimed for a reduction in margins of 15s. (\$1.50) a week.

The unions put broadly a case that in the proper fixation of margins the basic criteria were the market value at the time of the fixation of the wage and the economic capacity of the economy to pay the wages claimed and alleged

* Commonwealth Arbitration Reports, Vol. 92, p. 796.

that the 1954 Metal Trades decision had departed from these principles. They produced material to demonstrate the economic situation which would justify the increases asked for, and submitted that the true relativities in the Metal Trades Award should be those created by a combination of the 1947 Full Court decision and the second variation order made in 1947 by G. A. Mooney, C.C.*

The employers adopted the view that no case had been made out for any increase and that there should be wage reductions. They also supplied the Commission with economic material in support of their case that there was no capacity in the community to sustain increased margins and alternatively that any increased economic capacity which may have occurred since 1954 had been exhausted by basic wage fixations. As to relativities the employers submitted that the 1954 decision should be adhered to and should be carried to its logical conclusion so far as the lower paid classifications were concerned.

The Commonwealth Government intervened and not only submitted statistical material and an analysis of the economic situation but also assisted the Commission with an exposition of various factors proper to be taken into account in the fixation of margins. In particular the Commonwealth emphasized the desirability of flexibility in the workings of the arbitration system.

In the judgment, delivered on 27th November, 1959, the Commission rejected the employers' application to reduce wages under the Metal Trades Award and made an order re-assessing the marginal structure in the award by increasing the existing margins by 28 per cent., the amount of the increase being taken to the nearest 6d. (5c). The new margins applied from the beginning of the first full pay-period commencing in December, 1959. The effect of this decision was to increase the margin of the fitter from 75s. (\$7.50) to 96s. (\$9.60) a week.

The Commission stated that, not having before it the question of work values, and having decided not to alter the 1954 relativities, the increases had been expressed as a percentage of current margins, but this was not to be taken as an endorsement of that method of fixing margins. The Commission also stated that the decision was based on the material placed before them and their general industrial knowledge which, in view of their functions under the Act, they thought proper to use. Both that material and that knowledge related to the Metal Trades industry and to the economy generally. The decision, however, related only to the Metal Trades Award. The Commission realized that on occasions in the past, margins fixed in the Metal Trades Award, and in particular the margin of the fitter, had been used as standards for other awards. The use of the increases as a guide in other disputes would be a matter for the parties as far as conciliation was concerned and, if arbitration was necessary, for the Commission however constituted.

Gold and Metalliferous Mining Award. Judgment was also delivered on 27th November, 1959,† in connection with the application for variation of margins in this award. The margin for the miner was increased from 30s. (\$3) to 42s. 6d. (\$4.25) a week from the beginning of the first full pay-period commencing in December, 1959. Marginal claims for other classifications were referred back to the appropriate Commissioner for consideration. Subsequently, the parties to the award agreed that margins for all other classifications should be increased in the same proportion as the margin for the miner (i.e. by 41.7 per cent.). The Commissioner varied the award accordingly.

* *Commonwealth Arbitration Reports*, Vol. 59, p. 1272.

† 92 C.A.R., p. 814.

Metal Trades Award, Part II. and Aircraft Industry Award, Part II. On 11th December, 1959,* the Commission delivered a judgment granting a 20 per cent. interim increase in margins to graduates and diplomates in engineering or science, payable as from the beginning of the first full pay-period commencing in December, 1959.

Bank Officials' Award. On 11th December, 1959,* a 20 per cent. interim increase in margins was granted to officers in the 10th to 18th year of service inclusive and to accountants and managers, payable retrospectively as from 11th June, 1959. Interim increases were not awarded to more junior officers, nor to females. Subsequently, the parties to the Bank Officials' Award met before a Senior Commissioner and a consent award was made giving final marginal increases to adult males and adult females and making adjustments to junior rates of pay.

4. *Margins Case, 1963.*—Following the conclusion of the 1963 Basic Wage Case, two benches of the Commonwealth Conciliation and Arbitration Commission commenced, on 5th February, 1963, to hear applications by metal trades unions for increased margins and for three weeks annual leave (see p. 158). The two benches sat jointly for the convenience of the parties involved and were constituted as follows: margins case—Kirby C.J. (President), Moore and Ashburner J.J. and Commissioner Apsey; three weeks annual leave case—Kirby C.J. (President), Moore J. (Deputy President) and Commissioner Apsey. In their application, the claimant unions were supported by the Australian Workers Union, the High Council of Commonwealth Public Service Organizations, the Australian Council of Salaried and Professional Associations and certain affiliated organizations. The claim was opposed by the respondent employers who were supported in their opposition by the banks respondent to the Bank Officials Award, and by members of the Australian Wool Growers and Graziers Council.

The unions' claim on margins was that the Commission restore, on an assessed basic wage, the relativities within the Metal Trades Award established in 1947 by what is known as the second Mooney formula. Taking £15 7s. (\$30.70) as the assessed basic wage (calculated as the 1947 basic wage adjusted to price changes since 1947) and applying the percentage 48.6, which the fitter's margin was of the 1947 basic wage, the unions arrived at a new marginal rate of £7 9s. (\$14.90) for a fitter or an increase of £2 13s. (\$5.30) on the current margin. This claim of £7 9s. (\$14.90) was 2.86 times the 1947 fitter's margin, and hence the unions sought to have all 1947 margins multiplied by 2.86. This claim was opposed by the employers who asked that any consideration of marginal increases be deferred for an unspecified time.

The Commonwealth Government intervened in the public interest and made submissions as to the approach to be adopted to marginal fixation generally, and to marginal fixation in the metal trades industry, as well as supplying information to the Commission about the economic situation and the government's assessment of it. The Commonwealth Government neither opposed nor supported the claim. The State of South Australia neither opposed nor supported the claim for marginal increases but did oppose any change in present relativities. The State of Queensland neither opposed nor supported the application for increases in margins but submitted certain information regarding possible effects in Queensland. The Commission declined to allow submissions aimed at showing what might happen in State awards if State industrial tribunals followed their past practices with respect to the Commission's decisions.

* *Commonwealth Arbitration Reports*, Vol. 93, p. 63.

The unions' case in outline comprised firstly, a critical analysis of major decisions of the Court and of the Commission extending back to the "Harvester" decision of 1907; secondly, a demonstration from those decisions of the basic criteria used in the fixation of margins, in particular the market value of the work of the various classifications at the time of fixation and the inter-related consideration of economic capacity; thirdly, evidence to demonstrate what is the current market value; and, finally, material concerning economic capacity to pay the rates being claimed.

Referring to past decisions and the problem of marginal fixation the Commission stated that "the assessment of particular margins at particular times must be an act of judgment by the person or persons making the assessment in the light of current knowledge and practice both of which are themselves susceptible of change. . . . We hold the view that whatever may have been the practice in the past there is no reason why any margin should, after a period of time, necessarily be restored to any earlier relativity which it may have had with any earlier basic wage. . . . Margins are awarded for skill and other factors which are not included in the assessment of the basic wage. The value from time to time of skill and other factors relevant only to margins may change independently of changes in the basic wage. We are not prepared to assume that because in 1947 the fitter's margin represented 48.6 per centum of the basic wage that it should now represent the same percentage of the current basic wage".* The Commission emphasised the need to have before it all information essential for a complete assessment of margins, some of which must relate to the work actually being done, and pointed out that margins in the Metal Trades Award cannot be properly assessed either absolutely or relatively until the Commission in one form or another has before it an application which will enable it to deal with all aspects of marginal fixation.

In the absence of any evidence or material on work value the Commission said they accepted the margins then current in the metal trades award as a starting point. Since last fixing margins in 1959 the Consumer Price Index had risen 6.05 per cent. and the Commission stated that they were prepared to assume that this showed a movement in purchasing power of money with sufficient accuracy to enable this to be taken into account in fixing margins, and believing that a compensating increase is within capacity they considered it would be inequitable not to award it. But as this would only restore margins to the real value of the 1959 margins, it was necessary to consider whether there was any ground for an increase in real margins. To do this, and in the absence of any material related to the work itself, the Commission said it could only consider the question of economic capacity in the metal trades and in industry generally.

The Commission repeated what had been said in the 1961 Basic Wage Case, namely, that productivity figures could be used only to demonstrate a trend and that productivity can only be approximately measured. The unions put forward the view that both past and future increases in productivity should be noted, whilst the employers said the proper approach was to ignore the past except to the extent to which it indicates the future and to adjust wages in a ratio slightly less than any expected future increase in productivity. The employers argued that if, over all, the level of wages increases at a faster rate than the increase in national productivity then there will be an increase in prices or a shift in income to the wages sector. The Commission made the following observations on this proposition—firstly, that increases in national productivity can only be imperfectly calculated and that such productivity figures as are now available can only be properly used to demonstrate a trend; secondly, that the case for marginal

* *Commonwealth Arbitration Reports*, Vol. 102, pp. 140-141.

increase relates to the metal trades industry only; thirdly, that if current margins are inadequate, it should be a matter of equity to award margins which are adequate even if such increase raises wages by a percentage greater than the estimated immediate future increase in national productivity; and, finally, that it was an over-simplification to relate the movement in prices to general economic considerations only. The Commission then considered figures from 1949-50 of the movement in national productivity based on Gross National Product per person employed at 1952-53 prices and pointed out that since the 1959 assessment of margins to 1961-62, national productivity measured in this way had increased by 5.1 per cent.

On economic capacity the Commission came to the conclusion that after a period of slowing down, the economy had recovered some of its impetus and this recovery was likely to continue in the immediate future at a somewhat higher rate than that of the past year. After considering material related to the metal trades industry, namely, over-award payments, average hours of overtime and average weekly hours for adult males, and keeping in mind that employers did not suggest that the economic capacity of the metal trades industry was less than industry generally, or that increases in productivity in that industry had been or will be less than increases in national productivity, the Commission was prepared to assume in the unions' favour that by and large the economic capacity of the metal trades industry was certainly not less than and probably more than that of industry generally.

Summing up, the Commission said: "On our judgment of national economic capacity including productivity, the likely future trends in that capacity and the relationship between the capacity of the Metal Trades industry and national capacity we consider that we should as a matter of equity increase the real value of margins under this award. Having regard to this decision and the decreased purchasing power of money since the last assessment we consider that it would be fair to increase margins under this award by ten per centum. We have reached this conclusion in the knowledge that today employees under this award have been awarded an extra week's annual leave. We emphasise again that no information about work values has been placed before us which would enable us to make a more accurate and from our point of view a more satisfactory assessment."*

The Commission then considered in detail the capacity of the economy as shown by the following economic indicators: Rural Industry, Balance of Payments, Competitive Position of Secondary Industries, Investment, Employment, Company Income, Money and Banking and Retail Trade, and General. Under Company Income the Commission dealt with a submission of the employers that because wages had gone up as a result of the 1961 Basic Wage decision in a period of comparatively low activity in the economy and because the price level had not risen as a result of that decision there had been a movement in income from the company sector to the wage sector. Any further increase in wages, the employers submitted, would be likely to cause a further drift in company income followed by a further dampening down of investment and a consequent deleterious effect on activity in the economy and a worsening of the economic position of wage earners. The Commission referred to figures of Gross National Product, Company Income, and Wages and Salaries, which indicated that movements in company income were not directly related to movements in wages and salaries, but stated, that the fact that company incomes had been lower in the past two years indicated the necessity for caution in awarding marginal increases.

* *Commonwealth Arbitration Reports*, Vol. 102, p. 146.

The Commission concluded its consideration of the indicators with these words ". . . our own investigation of the economy [is] that both from a long term point of view and also from a short term point of view the prospects for the economy may be reasonably regarded with optimism. On a consideration of the whole of the indicators, we conclude that national capacity has increased and that it is likely to continue to increase in the foreseeable future. In these circumstances we are confident that the economy is able to sustain the increase of ten per cent. in margins in this award which we consider is otherwise justified".

At the request of the parties the Commission took the unusual course of making a pronouncement early in the proceedings as to the extent to which the decision in the metal trades case should be used in other industries. The Commission reaffirmed what was said in the 1959 Basic Wage Judgment that the decision would relate to the Metal Trades Award only, although they realized that the margin of the fitter had been used as a standard for other awards. In the present case the Commission stated it was not intended that the decision should be applied automatically outside the metal trades. The use of any changes in margins granted by the Commission as a guide in other disputes would be a matter for the parties as far as conciliation was concerned and, if arbitration were necessary, for the Commission, however constituted.

The order of the Commission was that the margins for adult males in the Metal Trades Award be increased by ten per cent., the increase to be calculated to the nearest shilling (10c) and to operate from the beginning of the first pay-period to commence on and after 22nd April, 1963.

National Wage Cases, 1965.—A summary of the judgment of the Commonwealth Conciliation and Arbitration Commission in the above cases, in which marginal increases were granted, will be found in §5. Basic Wages in Australia (*see page 129*).

§ 7. Annual Leave.

1. **General.**—The judgment delivered by the Commonwealth Court of Conciliation and Arbitration in the Commercial Printing Case of 1936, granting one week's annual leave with full pay to employees in the industry, has usually been regarded as the first statement in the Commonwealth jurisdiction of the principles involved in deciding whether or not annual leave should be awarded. Over a period of time annual leave was introduced industry by industry when and if the Judge responsible for the industry considered it proper.

In 1945 the question of annual leave was before the Court* and the Court in its judgment set out what it considered to be the principles to be applied in all applications for an extension of the annual leave period to fourteen days. Alteration of particular awards was left to the discretion of the single judge who heard the application.

Further inquiries into annual leave have been conducted and a summary of the most recent inquiries is given below.

Annual leave for employees under the jurisdiction of State awards, etc. is subject to separate determination and a brief summary is given in paras. 3. to 8, pages 159-161.

At present the majority of employees in Australia receive at least three weeks' annual leave.

* *Commonwealth Arbitration Reports*, Vol. 55, p. 595.

2. **Commonwealth.**—Since 1960, three inquiries have been held following union claims to increase paid annual leave from two to three weeks in Commonwealth Awards. A report on these cases is given below.

(i) *Three Weeks' Annual Leave Inquiry, 1960.* Unions respondent to the Metal Trades Award applied to the Commonwealth Conciliation and Arbitration Commission on 18th July, 1960, to vary the Award to provide three weeks' paid annual leave instead of two weeks.

The application was opposed by employers, the State of Victoria and the Electricity Trust of South Australia. The State of Tasmania supported the application. The Commonwealth Government and the State of Queensland neither supported nor opposed the application, though the Commonwealth tendered statistical and economic information for the benefit of the Commission and the parties.

In its judgment of 14th December, 1960, the Commission summarized the submissions made by the unions and the employers, and stated that the two economic factors considered most important were the export-import position and the state of employment. The Commission stated that it had decided to reject the application, but emphasized that its decision was not intended to apply to a situation where, for special reasons related to a particular industry, it may consider an amount of annual leave greater than two weeks to be justified.

Part of the conclusion of the Commission stated:—"We accordingly dismiss this application because of the present economic situation. In doing so we would again repeat what we have said earlier in this judgment that we do not consider that employees under Federal Awards have yet achieved all the leisure which they should achieve. We have done no more than decide that the present is not an appropriate time in which to award an extra week's paid leave". *

For further particulars see Labour Report No. 49, pages 139-142.

(ii) *Three Weeks' Annual Leave Inquiry, 1962.* On 10th April, 1962, the Commonwealth Conciliation and Arbitration Commission, constituted by Kirby C.J. (President), Moore J. (Deputy President) and D. G. Apsey (Commissioner) commenced hearing an application by unions respondent to the Metal Trades Award for variation of the award to provide three weeks' paid annual leave instead of two weeks.

Although the application was made in respect of the Metal Trades Award only, the unions made it clear that they wished the claim to be regarded as a test case which, if granted, would involve the inclusion in federal awards generally of the basic standard of three weeks' annual leave. The application was opposed by employers, the State of Victoria and the Electricity Trust of South Australia. New South Wales and Tasmania supported the application. The Commonwealth Government and the State of Queensland neither supported nor opposed the application, although the Commonwealth intervened in the public interest and made submissions on the state of the economy, as well as providing economic and statistical information for the benefit of the Commission and the parties.

The hearing was concluded on 2nd May, 1962, and on 30th May the Commission made the following announcement:—

"We have given careful consideration to the submissions which have been made to us in this case. The applicant unions have asked that we consider the claim a general one, the result to be applied to Federal awards generally. This must result in greater caution on our part in deciding whether or not the application should succeed. Our present intention is that an increase to

* Commonwealth Arbitration Reports, Vol. 96, p. 217.

three weeks' annual leave generally in secondary industry, subject to special cases, should be granted as soon as we are satisfied that the economy is in a position to cope with the effects of such an increase. However, there are two aspects of the economic arguments about which we are troubled and about which we consider it too early to make any firm decision. These are, firstly, whether our internal economy has sufficiently recovered from the recession of late 1961 and, if so, what is the likely rate of its recovery in the future and, secondly, the effect on Australia of success or failure of the application of the United Kingdom to enter the European Common Market. There have been developments in relation to the latter question since the hearing which both emphasize its importance and the lack of accurate information as to what is going to happen and the short and long term effect on Australia's economy.

"So that we may be able better to assess these matters we have decided to adjourn these proceedings until a date in February or March next which will be announced later when the parties and interveners will be able to make such further submissions on these two matters as they may desire."

A brief summary of the case is given in the following paragraphs.

The unions submitted that about half of the Australian work force was already entitled to three weeks' leave or more, and that the Commission was being asked to settle a genuine industrial dispute arising from the disparity between the leave granted to different sections of the work force. The unions referred to the judgment in the 1960 Annual Leave Inquiry, in which the Commission had stated that its decision to refuse the application had been influenced by the export-import position and the state of employment, and submitted that there had been sufficient improvement in these two factors to justify the granting of the application, particularly as the Commission had in the 1960 case conceded that two weeks should not be regarded as the ultimate in paid annual leave.

The unions submitted evidence to show that three weeks' annual leave, which had been granted by legislation in New South Wales in 1958, had not had any adverse effects on the economy of that State. They also submitted that, in the 17 years since 1945, when annual leave was extended to two weeks, the national economy had developed in a way which would permit the granting of an extra week's leave with much more safety than had been possible in 1945, at the end of the war.

The employers, in opposing the application, said that since the previous rejection of the unions' claim in 1960 Australia had undergone a major recession. No new arguments had been advanced by the unions in support of their claim and it should therefore again be rejected. They also submitted that even on the ground of social justice the claim should be rejected because Australian workers enjoyed shorter annual hours of work than those of any other country in the world. In addition, an examination of the relation of average weekly earnings to productivity showed that they had already received the fruits of all productivity increases.

The balance of payments situation, though improved, had been achieved only through drastic Government action and in fact looked satisfactory only in comparison with that of the previous year. As to employment, there was still a shortage of skilled labour, which would be aggravated by the granting of increased leave.

The employers submitted that the claim should not be treated as a test case, because it was being argued not only on general economic issues but also in relation to specific problems in the metal trades. No party to any other award should be inhibited in any way from arguing the particular circumstances of other industries.

(iii) *Three Weeks Annual Leave Inquiry*, 1963. On 5th February, 1963, the Commonwealth Conciliation and Arbitration Commission constituted by Kirby C.J. (President), Moore J. (Deputy President) and Commissioner Apsey, commenced hearing an application, which had been adjourned from May, 1962, (see (ii) above) to vary the Metal Trades Award, to provide three weeks' paid annual leave, instead of two.

The hearing was continued during March and April, 1963, jointly with the Metal Trades Margins case hearing (see pages 152-155), and in its judgment on 18th April, 1963, the Commission referred to the announcement it had made on 30th May, 1962, as to the Commission's intention to grant a period of three weeks' annual leave, when it was satisfied that the economy was in a position to cope with the effects of such an increase. "In our view the Australian economy has recovered sufficiently from the recession of 1961 and its likely rate of recovery in the future is such as to enable us to grant three weeks' annual leave. The second aspect of the economic arguments about which we were troubled has for the purposes of this decision been changed in a manner in which the problem has become no longer relevant. Therefore we see no reason why we should not implement our express intention of May last year to increase annual leave to three weeks generally in secondary industry, subject to special cases."

The Commission then announced that the Metal Trades Award would be varied to produce the following result: "A period of 21 consecutive days' leave shall be allowed to employees who have completed twelve months' continuous service by or after 30th November, 1963".

Provision for proportionate leave for periods of employment of one month and over was made in respect of employment after 1st June, 1963.

It was stated that the application of the new standard of annual leave for secondary industry in other Federal awards would be a matter for individual Commissioners upon proper application being made for variation.

In a decision given on 22nd October, 1963, the Commission, comprising Wright J. (Acting President), Moore J. (Deputy President) and Commissioner Winter, unanimously rejected an application by the Metal Trades Employers' Association and other employers' organizations firstly, for permission, at the employer's discretion, to require employees to take their annual leave in two periods of seven and fourteen days respectively; and secondly, that the time after accrual within which leave must be taken, should be extended to nine months when leave is taken in one period and twelve months when leave is taken in more than one period.

The main reason urged in support of the application was that employers needed greater flexibility in the conduct of their businesses, and reference was made to seasonal variations in the demand for certain goods and services, especially where December and January were peak months, the extent of overtime worked before and after any close down, the unavailability of alternative labour, the integration between tasks carried on by employers, and the time and method of taking annual leave by suppliers and customers.

Moore J. and Commissioner Winter in a joint statement contrasted the nature of the employers' claim with the paucity of information given by them in support. They considered that the issue to be decided is whether a production loss, claimed to be involved in the grant of three weeks, would be minimized by allowing employers to require leave to be taken in two periods and although evidence suggested inconvenience to employers and perhaps to customers, it did not show that failure to grant the employers claim would in any real sense

cause loss of production. However, the Commission considered that there might be individual cases where some relief would be desirable in the first Christmas period after the increase became effective and accordingly they favoured the insertion of a provision in the Metal Trades Award which would enable an employer "in order to maintain the efficient working of his undertaking or his service to the public, to seek from the Union or unions concerned an agreement to split annual leave of the employees in his establishment or part of it either by two close-downs or by rostering or by a combination of one close-down and rostering". In instances where agreement could not be reached, the employer would have the right to seek permission to split the leave from a Board of Reference.

The order was to operate for a period of six months as it might be desirable to reconsider the matter after the ensuing Christmas-New Year period when it would be possible to see how the new standard of annual leave had affected industry.

On the material before it the Commission was not prepared to alter the period in which leave must be taken but this might be reconsidered when the case resumed on a date to be fixed in May, 1964.

(iv) *Australian Territories.* Annual leave provisions for private employees covered by awards in the Northern Territory and the Australian Capital Territory are subject to the jurisdiction of the Commonwealth Conciliation and Arbitration Commission. (See paragraphs (i) to (iii) above).

3. *New South Wales.*—Employees in New South Wales in private industry, other than those covered by Federal awards, were granted three weeks annual leave by the Annual Holidays (Amendment) Act, 1958. In February, 1964, the State Government granted its employees four weeks annual leave effective from 1st January, 1964.

The Annual Holidays (Amendment) Act, 1964, assented to on 29th September, 1964, provided that annual holiday pay for employees covered by provisions of the Annual Holidays Act, 1944-1964 (see page 54), would be calculated on the basis of the employee's ordinary pay and not on current award rates. The amending Act defined ordinary pay as including bonuses, commissions etc., but as excluding shift work allowances, overtime or other penalty rates. The Act provided that a worker should receive notice of one month, instead of seven days, before proceeding on annual leave.

4. *Victoria.*—Following the decision of the Commonwealth Conciliation and Arbitration Commission in May, 1963, individual Wages Boards commenced to alter provisions of their determinations to grant employees an extra week's leave. By September, 1963, the majority of Boards had included three weeks annual leave in their determinations.

In December, 1963 the Industrial Appeals Court upheld an appeal by employees against the determination of the Photographic Goods Board which stated that an employer may direct the workers or group of workers to take their annual leave in two periods of two consecutive weeks and one week, respectively. The President of the Court pointed out that the Commonwealth Conciliation and Arbitration Commission contemplated that employers might need to plan properly and far enough in advance to enable the appropriate adjustments to the new standard of leave to be made. The Court considered that it had been demonstrated during the year that the employer would be able to make these adjustments without the kind of hardship which the Commonwealth Commission contemplated would warrant exemption from the obligation to give three consecutive weeks leave.

5. **Queensland.**—In June, 1963*, the Full Bench of the Industrial Conciliation and Arbitration Commission granted an extra week's annual leave to employees with twelve months' continuous service on or after 30th November, 1963. This move implemented a previous decision of the Commission in which it was decided, as a matter of policy, to grant increased leave to persons already enjoying two weeks leave.

The decision applied to day workers and non-continuous shift workers receiving two weeks leave; continuous shift workers receiving three weeks leave; and day workers and shift workers receiving additional leave in lieu of extra payment for working on statutory holidays. The order became effective as from 1st June, 1963.

It was decided that the terms of the decision of the Commonwealth Conciliation and Arbitration Commission, as handed down in April, 1963, (see page 158) were to apply to awards of the Industrial Conciliation and Arbitration Commission of Queensland with the exception that, in the State awards, *pro rata* payment for leave not taken at the termination of employment was to be expressed at hours per month. The Commission added that those industries or employers who felt that the condition of an industry warranted exemption or exclusion from such additional leave, should make an application showing justification for the exemption or exclusion as the onus rested upon that industry or employer to do so.

The decision did not apply to employees in primary industry—apart from the sugar industry—or those in western areas but by the end of March, 1964, three weeks leave had been granted to these employees.

6. **South Australia.**—The Full Bench of the South Australian Industrial Court in May, 1963 announced an increased standard of annual leave in the State, adopting the standard fixed by the Commonwealth Conciliation and Arbitration Commission (see page 158).

The Court pointed out that it had embraced three weeks as the general standard for annual leave for the time being. There would not be any automatic extension as the court would decide the application for each industry as it arose to ensure that comparable industrial justice would be applied to the various groups of employees in the State. The Court felt that the Commonwealth Commission's forecast regarding the future of the economy was not based entirely upon established facts but partly on a predicted economic trend for the near future. If that trend is not maintained the Court would, if application were made, be prepared in a proper case to review the new standard of annual leave.

The Court, as a general indication as to its attitude, expressed the view that annual leave should be taken at a time fixed either by agreement or, if this is not possible, at a time fixed by the employer. The leave should be allowed in two parts and one part must be of at least two weeks duration. These however were factors which could vary from award to award and their determination would depend on the needs of the particular industry.

7. **Western Australia.**—Following a general inquiry concerning Annual Leave and Public Holidays, the Court of Arbitration in June, 1963†, adopted three weeks as the new standard for the normal period of annual leave in State awards, with four weeks for seven-day shift workers. The date of operation was the same as that decided by the Commonwealth Conciliation and Arbitration Commission (see page 158).

* *Queensland Government Industrial Gazette*, Vol. 53, p. 473.

† *Western Australian Industrial Gazette*, Vol. 43, p. 392.

Existing awards and agreements which already provided annual leave in excess of the Court's standard were to be examined separately to ascertain whether special circumstances existed to justify leave greater than the normal standard.

The President of the Court in the reasons for his decision said that he was not convinced that the economic capacity of the State, and its economic capacity for the future, was less than that of the country as a whole.

In the inquiry the Government sought a reduction in the number of public holidays and a review of other conditions where these were more favourable than the Court's standard. Private employers opposed any increase in annual leave but, alternatively, submitted that, if there was to be an increase, then the new standard should be two weeks and four days per annum or the number of public holidays in each year should be reduced by one. Both these submissions were rejected and the standard number of public holidays was retained at ten with the provision that where an award provided for more than ten public holidays a year, that award, unless the union consented to a reduction to ten, would be excluded from the above order amending the annual leave provisions until it was established that special circumstances justified the continuance of the greater number of holidays.

In November, 1963,* the Court refused an application by employers for the right to split the annual leave into two parts since it decided to follow the decision of most other State tribunals and allow the additional leave in conformity with conditions similar to those prescribed by the Commonwealth Conciliation and Arbitration Commission. The right to split the leave would only be allowed by the Court in exceptional circumstances, unless all the parties concerned agreed to the inclusion of such a provision.

8. *Tasmania*.—Following an amendment to the Wages Board Act in 1961, Wages Boards were permitted to grant employees up to three weeks paid recreational leave. In June, 1962, the determination of the Ironmongers' Wages Board provided that the entitlement to annual leave, on and from 1st January, 1963, where the year of employment ended after 31st December, 1962, would be fourteen consecutive days, together with a period during working hours equal to 3½ hours for each completed month of employment after 31st December, 1962. Employees whose year of employment commenced after 31st December, 1963, would be eligible for three weeks annual leave. Subsequently, other Wages Boards amended their determinations to provide for three weeks annual leave.

Generally, most Wages Boards adopted provisions to enable leave to be taken in one consecutive period within six months from the end of the preceding year of employment or, if the employer and employee agree, in two separate periods, the lesser of which shall be of not less than seven consecutive days.

§ 8. Long Service Leave.

1. *General*.—Paid long service leave, i.e., leave granted to workers who remain with the one employer over an extended period of time, has been included in the provisions of State industrial legislation and in Commonwealth and State awards, etc. In most cases thirteen weeks leave after fifteen years continuous service has been provided. A brief summary is given in the following paragraphs. The transfer of ownership of a business does not constitute a break in continuity of service with the same employer.

* *Western Australian Industrial Gazette*, Vol. 43, p. 1459.

2. *Commonwealth.*—(i) *General.*—Until May, 1964, the Commonwealth Conciliation and Arbitration Commission had not included provision for long service leave in its awards and had refrained from determining disputes relating to this subject except in the case of the Northern Territory and the Australian Capital Territory (see page 165). Consequently until then, the provisions of the various State Acts relating to long service leave applied to workers covered by awards of the Commonwealth. The applicability of long service leave provisions under State law to workers under Commonwealth awards had been tested before the High Court and the Privy Council and such provisions had been held to be valid.

The Commission's position was set out in its decision, issued on 16th September, 1959*, regarding disputes on the inclusion, in the Graphic Arts (Interim) Award, 1957, of provisions for long service leave. It stated that it should refrain, until further order, from determining the disputes so far as they concerned long service leave and that if, in future, the Commission decided that long service leave on a national basis was desirable, it was open to proceed to the making of an award on the matter.

Following notifications in February and March, 1963, by employers in the graphic arts and metal trades industries of disputes regarding long service leave for employees in these industries, the Commission commenced to hear the matters on 4th April, 1963. The trade unions submitted that nothing had happened to reverse the Commission's decision of 16th September, 1959, hence no award should be made. The employers stated that the present application arose because the substantial uniformity of long service leave entitlements under the various State Acts, which existed at the time of the Commission's 1959 decision, no longer prevailed because of the amending New South Wales legislation granting thirteen weeks' leave after fifteen years' service. In a majority decision handed down on 6th June, 1963, the Commission (Moore and Sweeney JJ., Gallagher J. dissenting) rejected the unions' submission that it should refrain from making provisions for long service leave in its awards and decided that the matters should proceed to hearing.

The two cases were listed and called together on 29th August, 1963, before the Commission as constituted by Wright J. (Acting President), Moore and Sweeney JJ. (Deputy Presidents). The unions asked for an adjournment to enable application to be made to the Acting President "for an assembly of a Presidential Session of the Commission including, if possible, all the presidential members". In the alternative, the unions asked for an adjournment to enable an application to be made to the High Court for a writ of mandamus to require the Acting President to hear the application. Both appeals were rejected and the Commission decided that the hearing of the two cases should proceed.

The applicant employers completed submissions for an award prescribing leave on the basis of a "national code" which provided thirteen weeks' leave after completion of twenty years' service with the one employer, and six and a half weeks on completion of each succeeding ten years' service thereafter.

The New South Wales Government intervened and submitted that the Commission should do nothing which would reverse the standard of long service leave in that State nor make itself a barrier to the operation, on a State wide basis, of State legislation. It was stated that should the Commission make an award embodying a lower standard than that in New South Wales and extend it to that State, there would, in consequence, be considerable industrial unrest.

* *Commonwealth Arbitration Reports*, Vol. 92, pp. 566-571.

The New South Wales Government asked for exemption of workers in the State from any award of long service leave that the Commission may make or, failing this, the adoption of the New South Wales standard.

The Tasmanian Government also intervened and stated that any award made should be in terms such as would direct compliance with provisions operating from time to time under State law in the several States and/or long service leave provisions operating under Tasmanian law should apply, or in the event of making an award in any other terms, Tasmania should be exempted.

The trade unions sought, by an action in the High Court, to prohibit the Commission from proceeding to a settlement of the disputes in the two industries but they were unsuccessful.

Matters relating to long service leave in respect to other Commonwealth awards were stood over pending the completion of the hearing of the graphic arts and metal trades cases.

On 11th May, 1964,* the Full Bench of the Commonwealth Conciliation and Arbitration Commission announced its decision and the main points are set out below.

Long service leave entitlement would be calculated on the basis of thirteen weeks for twenty years of unbroken employment, in respect of employment before 11th May, 1964 (or in New South Wales, 1st April, 1963), and at the rate of thirteen weeks for fifteen years in respect of service after 11th May, 1964 (or in New South Wales, 1st April, 1963). After further periods of ten years employees would be entitled to an additional pro-rata period of leave calculated on the same basis. Those employees who completed an unbroken contract of employment of ten years but less than fifteen years and whose employment was terminated by death, or by the employer for any cause other than serious and wilful misconduct, or by the employee on account of illness, incapacity or domestic or other pressing necessity, would be entitled to pro-rata payment.

Exemptions obtained by employers under State legislation, except in South Australia, would continue, pending further order of the Commission. Any long service leave allowed, or payment in lieu thereof made, before 11th May, 1964, under a State law or long service leave scheme would be taken into account for the purpose of these awards.

The rate of payment while on leave would be the current award rates applicable at the date on which the employee commenced leave. This rate, however, would be subject to basic wage changes and marginal adjustments which occurred during the leave period. The position of piece-workers and part-time and casual workers was reserved for further consideration.

The leave is to be taken after twenty-eight days' notice by the employer in one continuous period, or, if the employer and the employee agree, in not more than three separate periods for the first thirteen weeks' entitlement and in not more than two separate periods for any subsequent entitlement. Employees on long service leave were not to engage in any employment for hire or reward with other employers respondent to the awards, and employers under the awards were not to employ any such employees who are known to be on leave.

Contracts of employment cannot be terminated by the employer either to avoid leave obligations imposed by the awards or through a slackness of trade if the employee is re-employed within six months, or for any other reason if the worker is re-employed within two months. Interruption or termination of

* Print No. A9584 P. 10.

employment arising directly or indirectly from an industrial dispute would be deemed as not breaking continuity of employment, provided the employee returned to work in accordance with the settlement terms of the dispute but the period of absence from duty would not count for long service leave purposes. Apprentices who entered into a contract of employment within a period of twelve months after the completion of an apprenticeship with the employer may include the period of apprenticeship in their entitlement to long service leave from that employer. Service with the Commonwealth armed forces or the Civil Construction Corps established under the *National Security Act 1939-1946* would be counted as employment with the employer by whom the employee was last employed prior to service with either of these forces.

In its judgment the Commission made the following observations: "In approaching the problem of deciding the form of long service leave in these awards we have carefully considered the provisions of the existing State Acts, and in South Australia the terms of the agreement. . . However our responsibility is not to be discharged by adopting the standards of a particular State Act, but rather by seeking to formulate long service leave provisions for these two industries which will, in our judgment, do justice between employer and employee".*

"It seems to us the decision as to the number of qualifying years must ultimately be an act of judgment, made without the benefit of any earlier arbitral precedent, and in a field where the existing standards are based on legislation or upon industrial agreements. In all the circumstances we consider that we should prescribe a period of 15 years as a sufficient period to require an employee to work for one employer in order to qualify".†

On the 23rd November, 1964, several unions applied to the Commonwealth Conciliation and Arbitration Commission for cancellation of the long service leave provisions of the Graphic Arts and Metal Trades awards. On 3rd December, 1964‡, the Full Bench of the Commission dismissed the unions' application.

In December, 1964, several employer organizations in the graphic arts and metal trade industries applied for orders varying the provisions of the long service leave awards in these industries to make them applicable to all their employees whether or not they were members of those trade unions respondent to the awards. The applications were opposed by the unions on the ground that the Commission had no jurisdiction to make such an order for non-unionists. In its judgment of 23rd December, 1964, the Commission unanimously agreed that these awards should be varied to extend long service leave to all employees.

On 23rd December, 1964, the Commission also announced other variations in the long service leave provisions of the Metal Trades and Graphic Arts awards. An employer would not be required to grant an employee long service leave until the amount of leave to which he was entitled equalled thirteen weeks in respect of the first period of entitlement and eight and two-thirds weeks in respect of any subsequent period of entitlement. The term "thirteen weeks" was substituted for the words "three months" in accordance with the Commission's decision of May, 1964. These variations came into effect on and from 1st December, 1964.

On 24th November, 1964, the Commission also awarded long service leave to employees in other industries. These awards operated from 1st December, 1964 and were similar in scope to those mentioned above.

* Print No. A9584, p. 18.

† *Ibid.*, p. 22.

‡ Print No. B236.

(ii) *Australian Territories*.—Long service leave codes for employees covered by Northern Territory and the Australian Capital Territory awards were originally prescribed on 4th December, 1961, by the Commonwealth Conciliation and Arbitration Commission in Presidential Session. The Commission decided that employees should be granted three months' long service leave after twenty years' service with one employer, even if part of this service was outside the Territory. In addition, the Australian Capital Territory code prescribed that employees presently employed might "go back for a period of 25 years in regard to the calculation of their present or future entitlement of long service leave".* In December, 1964, the Commission amended the majority of awards covering employees in the Northern Territory and the Australian Capital Territory by granting long service leave on the basis of thirteen weeks after fifteen years' service. In August, 1965, a number of those awards were made a common rule in these Territories.

(iii) *Stevedoring Industry*.—The *Stevedoring Industry Act* 1962, which came into force on 19th November, 1962, amended the *Stevedoring Industry Act* 1956–1961 (see Labour Report No. 49, page 145) by extending the eligibility and qualifying periods of the long service leave provisions of the Act. No changes were made to the entitlement for long service leave which remained at thirteen weeks after twenty years qualifying service and six and a half weeks for each subsequent ten years qualifying service.

3. *New South Wales*.—Long service leave was first introduced for the majority of workers by the Industrial Arbitration (Amendment) Act, 1951, which provided such leave for workers under State awards. This Act was replaced by the Long Service Leave Act, 1955, which extended the benefits to any worker within the State. Leave provided for was three months for twenty years continuous service with the same employer.

In 1963 the Long Service Leave Act 1955 was amended by the Long Service Leave (Amendment) Act, 1963, which took effect from 1st April, 1963. The provisions of the Act apply to workers in the whole State with the exception of those employed in the Public Service or in certain Government undertakings as these were already receiving long service leave benefits either on more favourable terms or under another Act.

Under the amended Act the term "ordinary time rate of pay" (i.e. the rate of pay at which employees were to be paid for their long service leave) was defined to exclude payments for shift work, overtime and other penalty rates. In cases where, during the period of twelve months immediately preceding the date on which the worker entered or was deemed to have entered upon long service leave, or the date of his death (as the case may be), the worker would receive any amounts due from bonus, incentive or other similar schemes, had such amounts been paid in equal weekly payments throughout that period of twelve months.

The Act amended the qualifying period for long service leave from twenty to fifteen years. It also provided that those employees who have completed—(1) at least ten years but less than fifteen years' service and whose services are terminated for any reason; or (2) a minimum of five years' service as an adult and whose services are terminated by the employer for any reason, or by the employee through illness, incapacity, or domestic or other pressing necessity, or by death of the employee, are eligible for payment for long service leave on the *pro rata* basis of three months for fifteen years' service. The term "service as an adult" is defined as meaning service with an employer during which the employee received a rate of pay either—(a) not less than the lowest rates fixed

* *Commonwealth Arbitration Reports*, Vol. 98, p. 705.

under an award or industrial agreement for an adult male or adult female in the same trade, classification or calling as the worker; or (b) a rate of pay not less than the rate prescribed by the award for a journeyman in the same trade, classification or calling; or (c) if no award or calling covers the occupation, then the period of service with the employer on and from the age of twenty-one years.

For workers whose service with an employer began before this amending Act and who were entitled to long service leave, the amount of such leave was to be the sum of the amounts calculated on the old (1955 Act) and the new (1963 Act) bases according to periods of service before and as from the commencement of the 1963 Act.

Workers on completing their apprenticeship with an employer, were now allowed twelve months, instead of six, to enter into a contract of employment with the employer and the period of apprenticeship is to be included for the purpose of determining period of service with that employer.

Previously, employers had been granted exemptions by the Industrial Commission of New South Wales from the long service leave provisions of the 1955 Act on the understanding that they grant workers benefits in the nature of long service leave under a scheme which would not place workers in a less favourable position than that specified in the Act. As from 1st April, 1964, no such exemptions would be granted unless long service leave is provided in the scheme. To enable the review of exemptions under the former Act the Industrial Commission, either on its own motion or that of an industrial union of employers or employees, or an employer concerned, would review the terms of any exemptions previously granted and if the benefits under the scheme, the subject of the exemption, were not as favourable as those specified in the amending legislation, or if it was no longer in the best interests of the workers concerned that the exemption should continue, then the Commission may—(i) vary either the terms of the exemption or any conditions necessary for the granting of the exemption; or (ii) revoke the exemption.

The Long Service Leave (Metalliferous Mining Industry) Act, 1963 was assented to on 13th December, 1963, and came into operation on 1st January, 1964. The object of the Act was to confer on certain workers in the metalliferous mining industry the right to three months' long service leave after ten years' service. The Act stated that a worker covered by its provisions would not be eligible to entitlements under the Long Service Leave Act, 1955–1963.

Workers' entitlement to long service leave under the Act would be on the basis of three months for twenty years for service prior to the commencement of the Act and three months for ten years for service thereafter. The remaining provisions of the Act substantially followed provisions of the Long Service Leave Act, 1955–1963.

4. 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 being subsequently incorporated in the Labour and Industry Act. Leave provided for was thirteen weeks for twenty years continuous service with the same employer. Contributions by employers to retirement schemes could be taken into consideration in dealing with exemptions from the Act

The *Labour and Industry (Long Service Leave) Act 1964*, assented to on 15th December, 1964, amended the provisions of the *Labour and Industry Act 1958*, as amended (to 1963) by providing long service leave on the basis of thirteen weeks after fifteen years continuous service. The Act became effective from 1st January, 1965.

On the completion of fifteen years of continuous service (previously twenty) an employee is entitled to thirteen weeks long service leave on ordinary pay. Further periods of five years service give the employee four and a third weeks leave (previously three and a quarter weeks). Employees who have completed more than fifteen years continuous service and where employment is terminated for any reason (other than by death), are entitled to leave equal to one-sixtieth of the period of continuous employment (previously one-eightieth). Payment in lieu of long service leave on the death of an employee is made to his personal representative. Termination of employment for the following reasons means an entitlement to leave equal to one-sixtieth of the period of continuous employment for employees who have completed at least ten years' continuous service—firstly, by the employer on grounds other than serious and wilful misconduct, and, secondly by the employee on account of illness, incapacity, or domestic or any other pressing necessity, where the illness, incapacity or necessity is of such a nature as to justify the termination of employment.

Periods of employment before 1st January, 1965, are counted at only three-quarters of their face value in calculating years for entitlement.

Prior to the Amending Act leave could be taken in one period or, by agreement between the employer and the employee, in two periods. The amending legislation provided that the first period of leave may, by agreement, be taken in two or three separate periods and any subsequent leave in two separate periods.

Following amendment to the Public Service Act in May, 1964, Public Servants became entitled to four and a half months long service leave after fifteen years service (instead of six months after twenty years).

5. **Queensland.**—In 1952 the Industrial Conciliation and Arbitration Act was amended to include long service leave provisions for employees within the jurisdiction of the Industrial Court, and the Act was amended again in 1955 to extend these provisions to any employee in respect of whose employment there was not in force an award or industrial agreement under the Act and to seasonal workers in sugar mills and meat works. Leave provided for was thirteen weeks for twenty years continuous service with the same employer. Payment for leave was prescribed as the rate of pay received at the time of leave.

“ *The Industrial Conciliation and Arbitration Acts Amendment Act of 1964* ”, (see page 55) amended the long service leave provisions of “ *The Industrial Conciliation and Arbitration Acts, 1961 to 1963* ”. Under the amended provisions, which operated on and from 11th May, 1964, employees are entitled to thirteen weeks leave after fifteen years continuous service. Employees who completed at least ten years service and whose services were terminated either by the employee or the employer, for any cause other than serious misconduct, are entitled to leave on a *pro rata* basis. Subsequent periods of leave, after the first period of thirteen weeks, became due on the completion of further periods of fifteen years service. An employee who, after completing fifteen years service, continues serving a further five years and whose employment is terminated, either by himself or by an employer, for any cause other than serious misconduct, is eligible for a further amount of leave on a proportionate basis.

6. **South Australia.**—The Long Service Leave Act, passed in 1957, exempts a large number of industrial agreements with wide industrial coverage from specifying long service leave for employees. For those covered by the Act, leave provided for is seven days in the eighth and in each subsequent year of continuous service. Contributions by employers to retirement schemes can be taken into consideration in dealing with exemptions under the Act.

On 9th September, 1964, the Industrial Court made an interim award, the Shop Assistants (Long Service Leave) Award, on the application of employers, to cover long service leave for shop assistants. This followed the cancellation of the existing Agreement by the Shop Assistants' union. This award contained the same provisions as the cancelled agreement—thirteen weeks leave after twenty years service, and, although it was due to expire on 9th November, 1964, the Court, on 22nd October, extended its period of operation to 19th February, 1965, pending a new industrial agreement.

The Shop Assistants' and Warehouse Employees' (Long Service Leave) Agreement, between the Shop Assistants' and Warehouse Employees' Union and the Retail Traders' Association of South Australia was registered on 24th December, 1964. It provided for thirteen weeks long service leave on the completion of fifteen years service, with eight and two-thirds weeks after each subsequent period of ten years service. On the termination of their employment, or on their death, employees who have completed fifteen years service receive proportionate payment for any service in excess of fifteen years, on the basis of thirteen weeks for fifteen years. On the termination of their employment after ten years service for any cause except serious misconduct or on their death, employees receive pro-rata long service leave payment on the basis of thirteen weeks for fifteen years service.

The Agreement stipulated that for service before 11th May, 1964, long service leave was to be calculated on the basis of thirteen weeks leave after twenty years service. For service after 11th May, 1964, long service leave was to be calculated on the basis of thirteen weeks leave after fifteen years service. Payment for employees on long service leave was to be at the current award rates, excluding bonuses, overtime, allowances, etc.

7. **Western Australia.**—The Long Service Leave Act was passed in 1958, but it did not apply to employees whose conditions of work were regulated under the Western Australian Industrial Arbitration Act. The Court of Arbitration of Western Australia, in an order dated 1st April, 1958,* incorporated, in most of the awards and agreements within its jurisdiction, provisions similar to those in the Long Service Leave Act. Leave provided for was thirteen weeks for twenty years continuous service with the same employer. Contributions by employers to retirement schemes could be taken into consideration in dealing with exemptions from the Act.

A general inquiry into long service leave, public holidays, annual leave and hours was held by the Court in 1961. In its judgment, delivered on 5th May, 1961,† the Court rejected the major claims by the parties relating to long service leave. However, it deleted a sub-clause of the 1958 Order which entitled an employer to offset any payment in respect of long service leave under the Order against any payment by him to any long service leave scheme, superannuation scheme, pension scheme, retiring allowance scheme, provident fund or the like or under any combination thereof operative at 1st April, 1958.

* *Western Australian Industrial Gazette*, Vol. 38, p. 261.

† 41 *W.A.I.G.*, p. 355.

On 23rd September, 1964, the Western Australian Industrial Commission in Court Session, by agreement, varied the Printing (Newspapers) Award to provide thirteen weeks long service leave after fifteen years, with eight and two-thirds weeks after further periods of ten years service. The order became effective from the 1st October, 1964. Employees who have completed at least ten years service are entitled to pro-rata leave if their employment was terminated either by—(i) death; (ii) the employer for any reason other than serious misconduct; or (iii) the worker on account of sickness, injury, or domestic or other pressing necessity. Workers whose service commenced before 1st October, 1964, are entitled to leave calculated on the basis of thirteen weeks after twenty years for service before 1st October, 1964, and, for service commencing on or after 1st October, 1964, on the basis of thirteen weeks after fifteen years service. Payment for the period of leave is the ordinary rate applicable to the worker as prescribed by the award. In the case of casual and part-time workers, payment is the ordinary time rate for the number of hours usually worked up to, but not exceeding, the prescribed standard. The rate of pay does not include shift premiums, overtime, bonuses, or piece or bonus work, or any system of payment by results. The worker is to receive at least one month's notice of the date from which the leave is to be taken. Workers must not, while on leave, engage in any employment for hire or reward or they will lose their entitlement to payment for leave.

A Special Board of Reference was constituted to hear and determine any disputes or matters arising under the award. On 29th September, the Commission amended the long service leave provisions of the majority of awards and agreements to incorporate the above provisions.

Long service leave on the same terms as the above provisions was incorporated in the *Long Service Leave Amendment Act (No. 2)*, 1964, assented to on 12th November, 1964. Exemption from the provisions of the Act previously granted to employers may, from time to time, be added to, varied or revoked by a Board of Reference in order to ensure that the long service leave scheme remains more favourable than the benefits prescribed under the legislation. The provisions of the Act, granting employers the right to offset any payment in respect of long service leave by contributing to any scheme for long service, superannuation, pension, retiring allowance or provident fund, were repealed. Appeals against determinations of a Board of Reference would be heard by the Western Australian Industrial Commission in Court Session.

8. Tasmania.—The *Long Service Leave Act 1956* provided for thirteen weeks leave for twenty years continuous service with the same employer. Contributions by employers to retirement schemes could be taken into consideration in dealing with exemptions from the Act.

The *Long Service Leave Act 1964*, assented to on 17th December, 1964, provided long service leave of thirteen weeks in respect of the first fifteen years continuous employment and eight and two-thirds weeks for every additional ten years continuous employment. On termination of employment a further *pro rata* period of leave is granted, calculated from the date of the last accrual of entitlement. Employees who have completed at least ten years service and whose services are terminated either by the employer for any reason other than serious and wilful misconduct or by the employee on account of illness, incapacity, or domestic or other pressing necessity, are eligible for leave on a proportionate basis. Periods of service before 17th December, 1964 are calculated on the old basis (i.e. thirteen weeks after twenty years' service).

Employees on leave are paid the rate received at the commencement of the long service leave, adjusted for any variations in the rate of pay which occur while the employee is on leave.

The amending legislation provided that exemptions from the Act would not be granted unless the scheme provided for the granting of long service leave. Exemptions already granted could be cancelled or amended by the Chief Inspector.

§ 9. Child Endowment in Australia.

In June, 1927, the Commonwealth Government called a conference of State Premiers to consider a national scheme of child endowment. After discussion, the matter was referred to a Royal Commission appointed by the Commonwealth Government.

The Commission submitted its report in December, 1928. The findings and recommendations were given in Labour Report No. 19.

At a conference of Commonwealth and State Ministers held in May, 1929, the Prime Minister stated that the Commonwealth Government was not prepared to adopt a scheme financed entirely from the proceeds of taxation. It agreed with the majority of the Commission that child endowment could not be separated from the control of the basic wage—a power which the Commonwealth did not possess and which the States were not prepared to relinquish. The Government, therefore, did not propose to establish any system of child endowment.

It was generally agreed that any scheme which would increase the charges upon industry would be unwise at that particular time. The matter of child endowment was accordingly left to be dealt with by the State Governments.

In 1941, the Commonwealth Government introduced a scheme of child endowment throughout Australia. Appropriate steps were then taken for the termination of existing schemes operating in New South Wales and the Commonwealth Public Service. The New South Wales system of child endowment operated from July, 1927, to July, 1941, and the Commonwealth Public Service system from November, 1920, until July, 1941. Details of these Schemes appeared in earlier issues of the Labour Report (*see* No. 36, page 103).

From 1st July, 1941, when the Commonwealth Child Endowment scheme was introduced, the rate of endowment for children under 16 years of age was 5s. (50c) a week for each child in excess of one in a family and for each child in an approved institution. The rate was increased to 7s. 6d. (75c) a week from 26th June, 1945, and to 10s. (\$1) a week from 9th November, 1948. Endowment for the first child under 16 years in a family was first provided for by an amendment of the legislation in June, 1950. Endowment for full-time student children and increased rates for third and subsequent children were introduced in January, 1964. At present the main features of the scheme are as follows:—

Any person who is a resident of Australia and has the custody, care and control of one or more children under the age of 16 years or of student children over 16 years but under 21 years, who are not in employment or engaged in work on their own account, or an approved institution of which children are inmates, is qualified to receive an endowment in respect of each child. There are provisions to meet cases of families divided because of divorce, separation, unemployment or death of a parent. In such cases payment may be made to the father, mother or another person. There is no means test.

Since January, 1964, the rates are:

- (a) first or only child under 16 years in a family, 5s. (50c) a week;
- (b) second child under 16 years in a family, 10s. (\$1) a week:

(c) third or subsequent children under 16 years in a family, children in an approved institution, full-time student children between 16 and 21 years, 15s. (\$1.50) a week.

There is a twelve months residential requirement for claimants and children who were not born in Australia, but this is waived if the Department of Social Services is satisfied that the claimant and the child are likely to remain permanently in Australia.

Under certain conditions endowment may be paid to Australians who are temporarily absent overseas. Endowment is payable to Aborigines unless they are nomadic or primitive.

Endowment is paid for the children of members of the naval, military or air forces of the United Kingdom who are serving with the Australian Forces from the time of arrival of the children in Australia.

A summary of the operations of this scheme during each of the years 1959-60 to 1963-64 is given below.

CHILD ENDOWMENT: AUSTRALIA.

Particulars.	At 30th June—				
	1960.	1961.	1962.	1963.	1964.
Children under 16 years—					
Endowed Families—					
No. of Claims	1,476,835	1,501,180	1,523,074	1,535,388	1,555,630
No. of Children	3,228,657	3,313,225	3,395,449	3,432,166	3,484,008
Approved Institutions—					
No. of Institutions	443	465	479	497	502
No. of Children	23,756	27,077	24,685	25,454	26,107
Student Children(a)—					
Endowed Families—					
No. of Claims .. ..	..	..	..	..	113,062
No. of Children .. ..	..	..	..	..	120,697
Approved Institutions—					
No. of Institutions .. ..	..	..	..	..	53
No. of Children .. ..	..	..	..	..	235
Total Endowed Children ..	3,252,413	3,340,302	3,420,134	3,457,620	3,631,047
Amount paid to Endowees and Institutions(b)—					
Children under 16 years \$'000	125,064	(c)148,605	132,755	135,421	d164,899
Student Children .. \$'000	..	..	..	..	3,860
Annual liability—					
Children under 16 years \$'000	130,728	134,665	138,247	139,876	166,333
Student Children .. \$'000	..	..	..	..	9,433
Average Annual Rate of Endowment per Endowed Family—					
Children under 16 years \$	87.68	88.77	89.93	90.24	105.61
Student Children .. \$	..	..	..	..	83.27
Average Number of Endowed Children per Endowed Family—					
Children under 16 years ..	2.186	2.207	2.229	2.235	2.240
Student Children .. ..	..	..	..	..	1.068
Number of Endowed Children in each 10,000 of Population—					
Children under 16 years ..	3,165	3,178	3,195	3,167	3,152
Student Children .. ..	..	..	..	..	109

(a) The Commonwealth commenced to pay endowment for student children, aged 16 to 21 years, from 14th January, 1964. (b) Year ended 30th June. (c) In 1960-61 it was necessary to bring to account nearly £10,000,000 (\$20,000,000) involved for endowment payable on 4th July, 1961, to the credit of bank accounts and by cash at post offices. (d) Expenditure for this year includes five twelve-weekly payments instead of the usual four twelve-weekly payments for endowments paid to the credit of bank accounts.