



Government Gazette

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No. 89]

PERTH: FRIDAY, 15th NOVEMBER

[1963

IN THE COURT OF ARBITRATION OF WESTERN AUSTRALIA.

No. 294 (102) of 1963.

In the matter of the Industrial Arbitration Act, 1912-1961, and in the matter of various Awards and Industrial Agreements.

WHEREAS the Court of Arbitration (hereinafter referred to as "the Court") by way of summonses called upon the parties to various Awards and Industrial Agreements to show cause why the provisions contained therein relating to Annual Leave and Public Holidays should not be amended; and whereas the said summonses came on for hearing on the 17th day of June, 1963; and whereas the Court, having heard Mr. J. Coleman on behalf of industrial unions affiliated with the Trades and Labour Council of Western Australia, Mr. D. E. Cort on behalf of certain private employers, Mr. E. R. Kelly on behalf of various Ministers of the Crown in the right of the State and various Crown instrumentalities, and other representatives for other industrial unions and employers, determined that various Awards and Industrial Agreements be amended: Now, therefore, the Court, in pursuance of the powers conferred on it by section 61 of the Industrial Arbitration Act, 1912-1961, doth hereby order—

That the Engine Drivers' (Flax Industry) Award, No. 25 of 1951, be and the same is hereby amended in the terms of the attached schedule.

Dated at Perth this 29th day of August, 1963.

By the Court,

[L.S.] (Sgd.) R. V. NEVILLE,
President.

Schedule.

Clause 15.—Annual Leave.

1. Delete subclauses (a) and (d) of this clause and insert in lieu thereof the following:—

(a) Except as hereinafter provided, a period of two (2) consecutive weeks' leave with payment of ordinary wages as prescribed

shall be allowed annually to a worker by his employer after a period of twelve (12) months' continuous service with that employer, but where a worker completes that twelve (12) months' continuous service on or after the 30th November, 1963, he shall be allowed three (3) consecutive weeks' leave instead of the two (2) consecutive weeks' leave prescribed herein.

(d) After one (1) month's continuous service in any qualifying twelve (12) monthly period a worker whose employment terminates shall be paid, in respect of each completed month of continuous service in that qualifying period—

(i) one-sixth ($\frac{1}{6}$) of a week's pay at his ordinary rate of wage if he leaves his employment before the 30th November, 1963, and one-quarter ($\frac{1}{4}$) of a week's pay at his ordinary rate of wage if he leaves his employment on or after that date;

(ii) one-quarter ($\frac{1}{4}$) of a week's pay at his ordinary rate of wage if his employment is terminated by the employer through no fault of the worker after 29th August, 1963, and one-sixth ($\frac{1}{6}$) of a week's pay at his ordinary rate of wage if his employment is so terminated on or before that date.

2. Add the following new subclause to this clause:—

(g) Notwithstanding anything else herein contained an employer who observes a Christmas closedown for the purpose of granting annual leave may require a worker to take his annual leave in not more than two (2) periods but neither of such periods shall be less than one (1) week.