



# VICTORIA GOVERNMENT GAZETTE.

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No. 313]

FRIDAY, NOVEMBER 12.

[1937

Factories and Shops Acts.

## DETERMINATION OF THE ICE CREAM BOARD.

NOTE.—This Determination on the 18th November, 1937, applied to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed "to determine the lowest prices or rates which may be paid to any person employed in the trade of making edible ices, ice cream, or any frozen articles of which ice cream is the principal ingredient," has made the following Determination, namely:—

(1) That on the 18th November, 1937, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### (2) ORDINARY WORKERS.

Apprentices or Improvers.	Juvenile Workers.				Adult Employees.				
Wages per Week of 44 Hours.	Wages per Week of 44 Hours.				Wages per Week of 44 Hours.				
<i>Males.</i>	<i>Males.</i>		<i>Females.</i>		<i>Males.</i>				
Apprentices. <i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	Within the Metropolitan District.		Outside the Metropolitan District wherever this Determination applies.		
Under 16 years of age .. 17 0 .. 26 9	Under 16 years of age .. 26 9	16-17 years of age .. 31 9	16-17 years of age .. 23 3	16-17 years of age .. 26 3	—	—	<i>s. d.</i>	<i>s. d.</i>	
16-17 years of age .. 23 3 .. 31 9	17-18 years of age .. 36 6	17-18 years of age .. 28 0	17-18 years of age .. 28 0						
17-18 years of age .. 27 0 .. 36 9									
18-19 years of age .. 35 0 .. 44 9									
19-20 years of age .. 48 6 .. 58 3									
20-21 years of age .. 58 3 .. 68 9									
PROPORTION.									
One male apprentice and one male improver to every three or fraction of three male workers receiving not less than 78s. 6d. within the Metropolitan District and 74s. 6d. elsewhere per week of 44 hours.									
<i>Females.</i>									
Under 16 years of age .. 23 3									
16-17 years of age .. 26 3									
17-18 years of age .. 28 0									
18-19 years of age .. 31 3									
19-20 years of age .. 33 9									
20-21 years of age .. 36 9									
PROPORTION.									
Three female improvers to every two female workers receiving 45s. per week of 44 hours.									
					Pasteurizer, Mixer, Cooling, or Freezer } Machine operator	88 6	87 6		
					Assistant to any of the above-mentioned operators .. ..	81 6	77 6		
					Dixie, Cup, or Chocolate bar } Machine operator	83 0	80 0		
					Mould cutter .. ..	83 0	80 0		
					Can washer, floor hand, chamber hand, or person handling ice ..	81 6	77 6		
					All others .. ..	78 6	74 6		
					<i>Females.</i>				
					All adults .. ..	45 0	45 0		

(3) SHIFT WORKERS.—Shift workers shall receive the wages prescribed in clause (2) for ordinary workers according to the class of work done plus an additional 1s. per shift.

(4) EMPLOYEES IN FREEZING CHAMBER.—Notwithstanding the rates provided in Clauses (2) and (3), any employee who is required to work in a freezing chamber, the temperature of which does not exceed 40° F., for an aggregate of time exceeding two hours on any day, shall be paid for all work (whether inside or outside the chamber) done on such day at the rate of 2s. 3½d. per hour. If employed under such conditions for less than an aggregate of two hours on any day he shall receive 2s. 3½d. per hour whilst so employed.

(5) DEFINITIONS.—(a) A juvenile worker is any person under 21 years of age (other than an apprentice or improver) employed stirring melted chocolate; picking out defective goods; stacking or counting articles not over 4 oz. in weight; moving goods for packing; counting, wrapping or sealing up to six dozen containers; filling ice cream cups or similar vessels; chocolate dipping; or wrapping any article intended for consumption.

(b) An ordinary worker is an employee who commences and completes his day's work between the hours of 6 a.m. and 7 p.m.

(c) A shift worker is any employee other than an ordinary worker.

(6) OVERTIME.—Any employee who works in excess of four hours on Saturday and eight hours on other week days shall be paid for such excess work at the rate of time and a half.

(7) SPECIAL RATES.—Double time (with a minimum of four hours' work or payment for same) shall be the rate for all work done on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day (21st April), Anzac Day, King's Birthday, Christmas Day, Boxing Day, or Cold Storage Union picnic day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

(8) TIME WAGES.—Any person employed on time wages for less than the number of hours of an ordinary week's work shall for each hour worked up to one-half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of thirty-three per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(9) NOTICE OF INTENTION TO WORK OVERTIME.—In every case where practicable an employer shall give 24 hours' notice to each employee of his intention to work such employee overtime. In each case where such notice has not been given and the employee is required to work overtime for not less than one hour he shall receive one shilling and sixpence as tea money, in addition to any other special payments provided.

(10) MEAL ALLOWANCE.—When an employee has provided himself with a customary meal because of receipt of notice of intention to work overtime, he shall be entitled to payment of 1s. 6d. for each meal so provided in the event of the work not being done or ceasing before such meal time.

(11) OVERALLS.—Overalls shall be provided and maintained by the employer.

(12) CONTINUITY OF WORK.—The work of each day shall be continuous with the customary break of not more than one hour for a meal.

(13) TIME BOOK AND WAGE RECORD.—Every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance, which shall be furnished by the employer. In addition to such time record every employee shall be required to sign each week a wage book or other record showing the total amount received as wages for such week.

(14) UNION INSPECTION.—An accredited representative of the Federated Cold Storage and Meat Preserving Employees' Union of Australia shall have access to the records of times recorded by employees and wages paid, provided that such inspection is made between the hours of 8 a.m. and 4.30 p.m. on a working day.

(15) SPECIAL CONDITIONS regarding work in the chambers—

(a) No person under the age of nineteen years shall be required to work in a chamber.

(b) Chamber hands shall be supplied with suitable gloves by the employer.

(16) PROHIBITION OF NIGHT WORK FOR FEMALES.—No female employee shall be employed between the hours of 9 p.m. on one day and 6 a.m. on the following day.

D. GRANT, Chairman.

J. W. RYAN, Secretary.

Melbourne, 3rd November, 1937.



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No. 314]

FRIDAY, NOVEMBER 12.

[1937

Factories and Shops Acts.

## DETERMINATION OF THE GENERAL BOARD.

(ARTIFICIAL FLOWER AND BOUQUET SECTION.)

Note.—This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which has the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the following trades and branches of trades, that is to say:—

Renovating carpets;	Cinematograph film;
Preparing feathers;	Composition flooring;
Treating flax;	Cutlery;
Treating pyrites and other metalliferous ores;	Artificial flowers and bouquets;
Mixing seed and making poultry foods;	Paper articles not subject to any Board heretofore appointed;
Glass badging;	Honey;
Gold stamping;	Ink or adhesives;
Ivory working;	Lead and shot;
Show-card and ticket-writing;	Silk or parchment lamp shades;
Manufacturing or preparing—	Mica products;
Abrasive paper or cloth;	Fishing and other nets;
Asbestos articles;	Ornaments for cakes;
Blue prints;	Plaster models;
Buttons and buckles other than those subject to the	Sporting goods not provided for under any Board heretofore
Determination of the Plastic Moulding Board;	appointed;
Button badges;	Surgical instruments;
Carbon articles;	Toys;
Chalk crayons, or other articles from mineral earth;	Watch cases"

has made, in respect of the manufacturing or preparing of artificial flowers and bouquets, the following Determination, namely:—

(1) That this Determination shall come into force and be operative on and after the 22nd November, 1937.

(2)

WAGES PER WEEK OF 44 HOURS.

(a) IMPROVERS.				(b) ADULTS.	
Males.		Females.			
	s. d.		s. d.		s. d.
1st year's experience	.. .. 15 6	1st six months' experience	.. .. 12 6		
2nd .. ..	.. .. 22 0	2nd .. ..	.. .. 15 6		
3rd .. ..	.. .. 30 3	3rd .. ..	.. .. 18 6		
4th .. ..	.. .. 40 9	4th .. ..	.. .. 21 6		
5th .. ..	.. .. 52 0	5th .. ..	.. .. 24 6		
6th .. ..	.. .. 60 3	6th .. ..	.. .. 27 6	Males .. ..	.. .. 76 0
7th .. ..	.. .. 64 0	7th .. ..	.. .. 30 6	Females .. ..	.. .. 41 0
		8th .. ..	.. .. 34 6		
		9th .. ..	.. .. 37 6		
		10th .. ..	.. .. 40 6		

and thereafter the rate prescribed for adults.

### PROPORTION.

Seven male improvers to each male person receiving not less than the rate prescribed for adults.  
Seven female improvers to each female person receiving not less than the rate prescribed for a female improver in her eighth six months' experience.

(3) PROHIBITION OF EMPLOYMENT.—The Board determines that no person shall be employed as an apprentice.

(4) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44.

(5) TIMES OF BEGINNING AND ENDING WORK.—That the times of beginning and ending work shall be:—

Time of Beginning (not earlier than).		Time of Ending (not later than).	
7.30 a.m.	.. ..	.. ..	12 noon on Saturday.
7.30 a.m.	.. ..	.. ..	5.15 p.m. on the other working days of the week.

(6) OVERTIME.—That all time worked—

(a) Outside the times of beginning and ending work prescribed in clause (5); or

(b) Within such prescribed times, but in excess of 44 hours in any one week—

shall be paid for at the rate of time and a half for the first four hours' work, and double-time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

(7) HOLIDAYS AND SUNDAY WORK.—That employees shall be entitled to the following public holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

Work done on Sunday or on any of the above-mentioned holidays shall be paid for at the rate of double time.

(8) TERMS OF EMPLOYMENT.—(a) That notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 44 working hours' notice, except in circumstances referred to above, the employer may pay 44 hours' wages; and vice versa the employee leaving his employment without notice shall forfeit 44 hours' wages, which may be deducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays, and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

(9) REST PERIOD FOR FEMALES.—Females shall be allowed, each morning, an interval of ten minutes for rest, such interval to count as part of time worked.

(10) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates for males set out in clause (2) (b) are based upon the following basic wage and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of improvers and of females shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (11).

*Basic Wage.*

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	£ s. d.
Within the area to which this Determination applies . . . . .	3 10 0	Melbourne

(11) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in December, 1937, the amount of the basic wage shall be as prescribed in clause (10).

(b) During each future successive period beginning with the first pay period to commence in a December, a March, a June, or a September, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period.

*Table.*

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
735-746 . . . . .	3 0 0	834-845 . . . . .	3 8 0
747-759 . . . . .	3 1 0	846-858 . . . . .	3 9 0
760-771 . . . . .	3 2 0	859-870 . . . . .	3 10 0
772-783 . . . . .	3 3 0	871-882 . . . . .	3 11 0
784-796 . . . . .	3 4 0	883-895 . . . . .	3 12 0
797-808 . . . . .	3 5 0	896-907 . . . . .	3 13 0
809-820 . . . . .	3 6 0	908-919 . . . . .	3 14 0
821-833 . . . . .	3 7 0	920-932 . . . . .	3 15 0

D. GRANT, Chairman.

REX L. CECIL, Secretary.

Melbourne, 27th October, 1937.