



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, DECEMBER 2.

[1938

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 8 (DAIRY PRODUCE AND COOKED MEAT).

NOTE.—This Determination on the 5th December, 1938, applied to the following parts of Victoria, namely:—The Metropolitan District as defined in the *Factories and Shops Act 1928* (No. 3677) and the Order in Council thereunder; such portions of the City of Sandringham as are not within the said district; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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 persons employed in the trade of a seller of Dairy Produce or Cooked Meat," has made the following Determination, namely:—

(1) That on the 5th December, 1938, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.			Other Employees.			
Males.	Females.		WAGES.	Within the Metropolitan District as defined in the <i>Factories and Shops Act 1928</i> (No. 3677).	All other parts of Victoria where this Determination applies.	Per Week of—
WAGES.	WAGES.		Males.			Hours.
Per Week of 48 Hours.	Per Week of 48 Hours.			<i>s. d.</i>	<i>s. d.</i>	
<i>s. d.</i>	<i>s. d.</i>					
Under 15 years of age .. 15 9	15 years of age or under .. 18 0		Manager (i.e., the principal employee in any shop except a shop in which an owner or partner is working manager)	102 9	98 3	48
15 years of age .. 21 6	16 years of age .. 21 3		Travelling salesman—			
16 years of age .. 29 0	17 years of age .. 26 6		21 years of age .. 78 9	74 9	51*	
17 years of age .. 38 9	18 years of age .. 33 9		22 years of age .. 85 9	82 0	51*	
18 years of age .. 48 0	19 years of age .. 37 3		23 years of age or over .. 90 9	86 9	51*	
19 years of age .. 55 6	20 years of age .. 41 3		All others—			
20 years of age .. 64 3			21 years of age .. 78 9	74 9	48	
			22 years of age .. 85 9	82 0	48	
			23 years of age or over .. 90 9	86 9	48	
PROPORTION (in any shop or place).	PROPORTION (in any shop or place).		<i>Females.</i>			
Apprentices.	Apprentices.		Managers (i.e., principal employee in any shop where females only are employed, except a shop in which an owner or partner is working manager)—			
One apprentice to every three or fraction of three male workers receiving not less than the minimum wage.	One apprentice to every three or fraction of three female workers receiving not less than the minimum wage.		In charge of three or more assistants .. 70 9	69 0	48	
Improvers.	Improvers.		In charge of less than three assistants .. 59 6	57 6	48	
One improver to first two or fraction of two, two to three; and thereafter one to every additional two male workers not under the age of 23 years.	One improver to first three or fraction of three, two to four; and thereafter one to every additional three female workers receiving not less than the minimum wage.		All others .. 49 0	47 3	48	

* Including time occupied in attending horses or motor vehicles.

NOTE.—Section 109 of the "*Factories and Shops Act 1928*" (No. 3677) provides that a shopkeeper shall not charge any manager or assistant who is required to reside on the premises in connexion with the shop in which the business of such shopkeeper is carried on a greater sum as rent for such premises than ten shillings per week.

(3) OVERTIME.—Any employee who in any week works for any time in excess of the number of hours as fixed for a week's work shall be paid for such extra time at the rate of time and a half.

(4) **TIME RATE.**—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 in this Determination for an ordinary week's work be paid at the ordinary wages rate with an addition of thirty-three and one-third 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.

(5) **TERMINATION OF EMPLOYMENT.**—Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

(6) **ALLOWANCE.**—Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering of which is not paid for by the employer, such employee shall be paid 3s. per week if a male, and 2s. 6d. per week if a female, in addition to the ordinary rate.

(7) **SPECIAL RATES.**—Time and a half shall be the special rate payable for all work done on Sunday, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday, Show Day (in localities mentioned in the Royal Agricultural Show Act), Cup Day (in the Metropolitan District as defined in the *Factories and Shops Act* 1928 (No. 3677) and the Order in Council thereunder), Christmas Day, Boxing Day, New Year's 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 be payable only for work done on the day so substituted.

(8) **ANNUAL LEAVE.**—Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of the holidays mentioned in Clause 7) in each year on full pay, and such holiday shall be given within three months of the completion of twelve months' service.

(9) **PAYMENT OF WAGES.**—Payment of wages, including overtime, tea money, special rates, &c., shall be made not later than Thursday of each week, and during working hours.

(10) **MEAL INTERVALS.**—All employees shall be allowed not less than one hour for a meal interval which must be taken between the hours of 12 noon and 2 p.m., and not more than five hours shall be worked between each meal. On Friday night or any other late trading night an interval of at least 35 minutes shall be allowed. During such meal intervals employees shall be allowed to leave the employer's premises.

(11) **NOTICE TO WORK OVERTIME.**—At least 24 hours' notice shall be given when overtime is required to be worked.

(12) **TEA MONEY.**—Any employee required to work overtime shall be paid not less than 1s. 6d. tea money in addition to the overtime rates as prescribed for in this Determination.

Provided that such tea money shall not be payable when a meal is supplied by the employer.

(13) **NOTICE OF INTENTION TO RATION.**—Where an employer, owing to slackness of trade, desires to ration his employees, he shall give at least seven days' notice to each employee of his intention to ration such employee.

(14) **BICYCLE ALLOWANCE.**—Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance at the rate of 3s. 6d. per week for such period as the bicycle is used.

(15) **REFERENCE.**—On an employee being dismissed or leaving his employment he shall be entitled to a reference stating his period of service.

(16) **FARES.**—Fares shall be paid by the employer to an employee who is required to work in more than one shop on the same day.

H. J. RICHARDSON, J.P.,
Chairman.

GEO. E. PARR,
Secretary.

Melbourne, 14th November, 1938.