



VICTORIA GOVERNMENT GAZETTE.

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[1938

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 15 (GROCERS).

NOTE.—This Determination on the 8th December, 1938, applied to the following parts of Victoria, viz.:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the city of Sandringham as are not included in 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 person or persons or classes of persons wheresoever employed in the business of a grocer, including a seller of tea," has made the following Determination, namely:—

(1) That on the 8th December, 1938, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)		Wages.					
Apprentices or Improvers.		Other Employees.		Within the Cities of Ballarat and Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	Within the Cities of Geelong, Geelong West, and Warrnambool, and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.	Per Week of—
WAGES.		Per Week of 48 Hours.		s. d.	s. d.	s. d.	Hours.
Under 15 years of age ..	15 9	Manager, i.e., the principal employee in any shop, except a shop in which an owner or partner is working manager ..		105 3	107 3	111 3	48
15 years of age ..	21 9	Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits ..		98 0	100 0	104 0	48
16 years of age ..	30 0	Canvasser, i.e., an employee soliciting or collecting orders ..		85 0	87 0	91 0	48
17 years of age ..	38 3	Driver of motor vehicle with a carrying capacity of not more than 25 cwt. ..		80 6	82 6	86 6	48*
18 years of age ..	47 0	Driver of motor vehicle with a carrying capacity of over 25 cwt. ..		83 0	85 0	89 0	48*
19 years of age ..	60 6	Driver of three or more horses ..		85 0	87 0	91 0	48*
20 years of age ..	66 6	Driver of two horses ..		83 0	85 0	89 0	48*
Provided that any apprentice or improver without previous experience entering the trade at 16, 17, or 18 years of age may be paid for his first and second year's service 20 per cent. less than the rates fixed above.		Driver of one horse ..		80 6	82 6	86 6	48*
The Board has prescribed a form of indenture which must be used.		Stableman ..		78 6	80 6	84 6	51
PROPORTION (in any shop or place).		All others—					
Apprentices.		21 years of age ..		79 6	79 6	79 6	48
One apprentice to every three or fraction of three workers receiving not less than 79s. 6d. per week of 48 hours.		22 years of age ..		80 3	82 3	86 3	48
Improvers.		23 years of age or over ..		85 0	87 0	91 0	48
One improver to every three workers receiving not less than the rates fixed in this Determination for grocers' assistants 23 years of age or over.							
"Worker" includes an owner or partner acting as working manager.							

* Including time occupied in attending to horses or motor vehicles.

(3)

TIMES OF BEGINNING AND ENDING WORK.

	Drivers.		All others except Stablemen.	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
On the day of the usual half-holiday ..	8.10 a.m.	1 p.m.	8.40 a.m.	1 p.m.
On the usual local late trading night or on the night previous	8.10 a.m.	7 p.m.	8.40 a.m.	9 p.m.
to a public holiday ..	8.10 a.m.	6.30 p.m.	8.40 a.m.	6 p.m.
On the other working days of the week ..	8.10 a.m.	6.30 p.m.	8.40 a.m.	6 p.m.

(4) OVERTIME.

The following rate shall be paid for overtime :—

Stablemen—

For all work done in excess of 51 hours in any one week

All others—

Outside the hours fixed in Clause 3

Within the hours fixed in Clause 3 in excess of the number of hours fixed for an ordinary week's work } Time and a half.

(5) ORDINARY WEEK'S WORK.

The number of hours which shall constitute an ordinary week's work shall be as follow :—

Stablemen 51 hours.

All others 48 hours.

(6) TIME WAGES.

Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for each hour worked up to 24 hours, as follows :—

(a) in any week in which two or more public holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) in any other week At the ordinary wages rate, with an addition of thirty-three and one-third per centum.

For time worked beyond the 24 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

(7) ALLOWANCES.

(a) 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 2s. 6d. per week in addition to the ordinary rate.

(b) 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 1s. 0d. per week.

(8) TERMINATION OF EMPLOYMENT.

Except in a case where an employee has been guilty of a misdemeanor, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

(9) MEAL INTERVAL.

A meal interval of at least one hour shall be allowed between the hours of 12 noon and 2 p.m. daily.

(10) SPECIAL RATES.

Double time shall be the special rate payable for all work done on Sunday, and time and a half the special rate payable for all work done on New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, 21st April (Labour Day), King's Birthday, Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act 1928* as are within the area to which this Determination applies), Christmas Day or Boxing Day; but, if any other day be substituted by Act of Parliament or Proclamation for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted.

(11) MEAL MONEY.

For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 1s. 6d. meal money in addition to the prescribed overtime rate.

(12) ANNUAL HOLIDAYS.

(i) 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 10) in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Seven days' notice shall be given by the employer to the employee before the latter commences his week's holiday aforesaid.

(ii) Any employee who has been for not less than six months in an employer's service, and whose engagement is terminated, shall receive one half-day's holiday payment for each month spent in such employer's service.

(13) REFERENCES.

Every employee, on the termination of his engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

(14) RENT OF RESIDENCE.

The employer 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 employer is carried on a greater sum as rent for such premises than 10s. 0d. per week.

(15) SICK PAY.

Any employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than twelve months' service with the same employer, and he or she produces or forwards within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than four days in each year commencing from the 8th December, 1938.

(16) PAY DAY.

Payment of wages, including overtime, meal money, special rates, and allowances shall be made not later than Thursday of each week.

(17) TIME AND WAGES RECORD.

The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Grocers' Association of Victoria.

RAY H. BEERS, Chairman.

REX L. GECIL, Secretary.

Melbourne, 17th November, 1938.