VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 253] FRIDAY, AUGUST 4. [1939

Factories and Shops Acts.

DETERMINATION OF THE BUTTER FACTORIES BOARD.

NOTES.—(1) On 18th July, 1938, the Butter Board was deprived of the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(*a*) butter, cheese, or casein;

(*b*) cream for wholesale trade other than sterilized cream,"

and such power was conferred exclusively on the Butter Factories Board.

(2) 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 wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(*a*) butter, cheese, or casein;

(*b*) cream for wholesale trade other than sterilized cream,"

has made the following Determination, namely:—

(1) That on the 7th August, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.

WAGES.

	Shift Workers.	All Others.
	s. d.	s. d.
Under 16 years	..	36 2
16–17 years ..	..	42 3
17–18 " ..	..	47 8
18–19 " ..	61 3	54 7
19–20 " ..	67 8	60 9
20–21 " ..	72 6	65 10

PROPORTION (IN ANY PLACE).

Males.

One apprentice to every three or fraction of three workers receiving not less than 82s. per week.

One improver to every eight or fraction of eight workers receiving not less than 82s. per week.

Females.

One apprentice and one improver to every three or fraction of three workers receiving not less than 55s. 1d. per week.

Juvenile Workers.

WAGES.

	Males.	Females.
	s. d.	s. d.
Under 16 years	30 9	26 5
16–17 years ..	34 1	29 6
17–18 " ..	42 3	33 1
18–19 " ..	46 5	38 5
19–20 " ..	54 10	42 3
20–21 " ..	62 3	46 8

Other Employees.

WAGES.

	Shift Workers.	All Others.
	s. d.	s. d.
Milk or cream grader or tester ..	103 0	97 0
Creamery manager	101 0	95 0
Milk or cream neutralizer	99 6	93 6
Foreman of shift or department or casein plant	100 6	95 0
Butter-maker	103 0	97 0
Operators of any of the following machines, viz.:—		
Separator	89 0	83 0
Pasteurizer evacuator, or deodorizer	89 0	83 0
Weighing machine	89 0	83 0
Filling machine for tinning of butter when butter has not been milled	91 0	85 0
Filling machine for tinning of butter when butter has been milled	90 0	84 0
Storeman or packer	89 0	83 0
Casein-maker	102 0	96 0
Assistant to casein-maker	90 6	84 6
Cheese-maker	103 0	97 0
Assistant to cheese-maker ..	90 6	84 6
Male adult washing or sterilizing cans or bottles	89 0	83 0
All other adult males	88 0	82 0
All adult females	..	55 1

(3) ORDINARY WEEK'S WORK.—The number of hours to constitute an ordinary week's work shall be as follows:—

Females—44 hours.

Males—

From the 1st March to the 31st August next following (both days inclusive)—44 hours.
From the 1st September to the last day of February next following (both days inclusive)—48 hours.

(4) DEFINITIONS.—"Juvenile worker" means a person under 21 years of age (other than an apprentice or an improver) employed at—

Patting, wrapping, or branding butter or cheese;
Blending or re-packing cheese;
Filling or cleaning cheese jars or moulds;
Filling or emptying casein trays;
Filling or drying casein in tunnels;
Filling casein into bags;
Weighing, filling, emptying, stacking, capping, sealing, opening, labelling, wrapping, packing, cleaning, or sterilizing tins, cartons, or bottles;
Stamping or branding tins, cartons, cases, bottles, or labels;
Stamping, branding, lining, or nailing up boxes or shooks, but not lifting full boxes; or
Handling empty tins, cans, cases, crates, jars, moulds, or boxes.

"Ordinary worker" means a male person who—

(i) from the 1st September to the last day of February next following (both days inclusive) works 48 hours in any one week as follows:—

(a) who ordinarily works 8 hours 36 minutes between 7 a.m. and 7 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday and five hours between 7 a.m. and 1 p.m. on Saturday;

(b) who ordinarily works 9 hours 36 minutes between 7 a.m. and 7 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday in the cheese processing industry in the Metropolitan District when the ordinary week's work is performed in five days; and

(ii) from the 1st March to the 31st August next following (both days inclusive) works 44 hours in any one week as follows:—

(a) who ordinarily works 8 hours 48 minutes between 7 a.m. and 7 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday when the ordinary week's work is performed in five days;

(b) who ordinarily works eight hours between 7 a.m. and 7 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and four hours on Saturday between 7 a.m. and 1 p.m. when the ordinary week's work is performed in six days.

"Shift worker" is a person other than an ordinary worker. Males under 21 years of age (other than an apprentice or improver 18 years of age or over) or females of any age shall not be employed on shift work

"Assistant to cheese-maker" means any person employed in the working of the curd in the vats and processes up to and including unhooping the cheese from the presses.

"Assistant to casein-maker" means any person employed in the working of the curd in the vats up to and including unhooping of the casein curd from the presses.

(5) OVERTIME.—The following rates shall be paid:—

(a) From the 1st September to the last day of February next following (both days inclusive)—

(i) To "ordinary workers" for all time worked—

On Saturday—

Outside the times of beginning and ending work as fixed in clause (4) ..	Double time.
Within the hours so fixed in excess of five hours	

On the other working days of the week—

Outside the times of beginning and ending work as fixed in clause (4) ..	Time and a half.
Within the hours so fixed in excess of 8 hours 36 minutes where an ordinary week's work is worked in six days and in excess of 9 hours 36 minutes where an ordinary week's work is worked in five days	

(ii) To "shift workers" for all time worked in excess of eight hours on any day .. Time and a half.

(b) From the 1st March to the 31st August next following (both days inclusive)—

(i) To "ordinary workers" for all time worked—

Outside the times of beginning and ending work as fixed in clause (4)	Time and a half.
Within the times of beginning and ending work so fixed in excess of four hours on Saturday and eight hours on the other working days where an ordinary week's work is worked in six days and for all time worked on Saturday and in excess of 8 hours 48 minutes on Monday to Friday inclusive where an ordinary week's work is worked in five days	

Provided that double time shall be paid for all work done on Saturday after 12 noon.

(ii) To "shift workers" for all time worked in excess of 7 hours 20 minutes on any day .. Time and a half.

(c) In the event of an employee being required to work in excess of 90 minutes of overtime in any one day after his ordinary time of ceasing duty, such employee shall be given an interval of 15 minutes without deduction of pay in the first hour of overtime worked. This clause shall not apply to persons employed in the cheese processing section of the industry in the metropolitan districts as defined in the Factories and Shops Acts.

(6) MEAL INTERVAL.—An interval of not less than 30 minutes nor more than 60 minutes shall be granted for meals between the hours of 12 noon and 2 p.m., provided that females and juveniles shall be granted such interval not more than 4½ hours after starting work. Shift workers shall be allowed an interval of not less than 30 minutes nor more than 60 minutes for meal; such meal time to be not less than three hours, or more than five hours from the time of beginning work.

Meal time, if worked, shall be paid for at the rate of time and a half on prevailing rates, same to continue until such time as the employee has had the full time provided for meal.

(7) TIME BOOK OR OTHER RECORD.—That 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.

(8) INSPECTION OF TIME BOOK.—That the Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australia be allowed to inspect the Time Record referred to in clause (7) and wages record (covering a period of two months prior to the inspection), during the office hours of the factory.

(9) ALLOWANCE.—When an employee is required by law or by his employer to wear a washable outer garment such garment (not exceeding two each year) shall be provided by the employer.

(10) CONTINUITY OF WORK.—The work of each day or shift shall be continuous, with the customary break for a meal.

(11) TIME WAGES.—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work between midnight Sunday and midnight Saturday 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 33 per centum, and for each hour worked beyond the one-half aforesaid the rate of wages payable shall be the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(12) TERMINATION OF EMPLOYMENT.—Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker.

(13) WASHING AND DRINKING FACILITIES.—Adequate washing and drinking facilities shall be provided in each factory or department, and where, in the opinion of the Inspector of Factories, conditions necessitate their use adequate changing facilities and showers shall be provided by the employer.

(14) IMPROVER TO RECEIVE ADULT WAGE.—An improver employed at any class of work for which a certificate from the Department of Agriculture is required shall, unless he is working under the direct supervision of an employee so qualified, be paid the rates of pay prescribed for such an adult employee.

(15) ANNUAL LEAVE.—Any employee who has been in the service of the same employer for a period of not less than twelve months shall be granted two weeks' holiday on full pay in each year, and such holidays shall be given at a date suitable to the employer not later than three months of the employee completing each twelve months' service.

If the employee leaves or is dismissed before the expiration of twelve months in any year, then such employee shall be given or paid for one day's holiday for each calendar month or part of a calendar month's service. Provided that an employee shall not be entitled to one day's holiday pay for part of a calendar month until he has completed three calendar months' continuous service with the same employer.

(16) MIXED FUNCTIONS.—Where an employee is engaged in any one day or shift for more than two hours at work in a higher class than he is employed to perform, he shall be paid for the full day or shift at the highest rate payable for any such work under this Determination, but if he is so engaged for less than two hours he shall be paid at the rates fixed by this Determination only for the work he actually performs.

(17) SPECIAL RATES.—Time and a half shall be the rate payable for all work done on Sunday, New Year's Day, 26th January, (Australia Day), Good Friday, Easter Monday, 21st April (Labour Day), Anzac Day, King's Birthday, Christmas Day, and Boxing 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. Any employee who works part of a holiday shall be paid ordinary rate for the remainder of the day.

A. C. TINGATE, P.M., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 24th July, 1939.

By Authority: T. RIDER, Government Printer, Melbourne.