



VICTORIA
GOVERNMENT GAZETTE.

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[1940

Factories and Shops Acts.

DETERMINATION OF THE ICE CREAM BOARD.

NOTE.—This Determination on the 13th September, 1940, 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 13th September 1940, the last previous Determination of this Board shall be revoked and replaced by the 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.	
Males.		Males.		Males.	
	<i>s. d.</i>		<i>s. d.</i>		<i>s. d.</i>
Under 16 years of age	18 9 .. 29 3	Under 16 years of age ..	.. 29 3	Pasteurizer,	
16-17 years of age ..	25 9 .. 35 0	16-17 years of age ..	.. 35 0	Mixer,	} Machine operator 96 0
17-18 years of age ..	29 6 .. 40 3	17-18 years of age ..	.. 40 3	Cooling, or	
18-19 years of age ..	38 3 .. 49 3			Freezer	
19-20 years of age ..	53 3 .. 64 0			Assistant to any of the above-	.. 89 0
20-21 years of age ..	64 0 .. 75 0			mentioned operators	
				Dixie,	} Machine operator 90 6
		<i>Females.</i>		Cup, or	
		Under 16 years of age ..	.. 25 9	Chocolate bar	
		16-17 years of age ..	.. 28 9	Mould cutter ..	.. 90 6
		17-18 years of age ..	.. 30 6	Can washer, floor hand, chamber	
		18-19 years of age ..	.. 34 6	hand, or person handling ice ..	.. 89 0
		19-20 years of age ..	.. 37 0	All others ..	.. 86 0
		20-21 years of age ..	.. 40 6		
				<i>Females.</i>	
				All adults ..	.. 49 6

(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. 7d. per hour. If employed under such conditions for less than an aggregate of two hours on any day he shall receive 2s. 7d. 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; of wrapping any article intended for consumption.

(b) An ordinary worker is an employee who usually commences and completes his day's work between the hours of 6 a.m. and 7 p.m. on Monday to Friday inclusive, and between the hours of 6 a.m. and 1 p.m. on Saturday.

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

(6) **HOURS OF EMPLOYMENT.**—The ordinary hours for a week's work shall be 44 per week, to be worked in five days or eight hours, and one day (Saturday) of four hours, or five days of eight hours forty-eight minutes each.

(7) **OVERTIME.**—Time and a half shall be paid for all work done—

(i) By shift workers—

(a) In excess of four hours on Saturday and eight hours on other days. } Where an ordinary week's work is worked on six week days.

(b) On Saturdays, and in excess of eight hours } } Where an ordinary week's work is worked on five days (Monday to Friday).

(ii) By ordinary workers—

(a) Outside the times fixed as beginning and ending work.

(b) Within the times fixed for commencing and ending work in excess of four hours on Saturday and eight hours on other days where an ordinary week's work is worked on six days and for all work done on Saturday and in excess of eight hours forty-eight minutes on Monday to Friday where an ordinary week's work is worked on five days.

(8) **SPECIAL RATES.**—Double time (with a minimum of four hours' work or payment of 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, 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 only be payable for work done on the day so substituted.

(9) **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.

(10) **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.

(11) **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.

(12) **PROVISION OF CLOTHING.**—Overalls shall be provided and maintained by the employer; and employees when engaged in de-frosting shall be provided with rubber capes and rubber boots.

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

(14) **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.

(15) **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 4.0 p.m. on a working day.

(16) **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.

(17) **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.

(18) **ANNUAL LEAVE.**—(a) Employees who have been in the continuous employment of an employer for twelve months shall be entitled to one week's annual leave without deduction of pay.

(b) Employees who have been in the continuous employment of an employer for less than twelve months and more than four months shall be entitled to one day's leave without deduction of pay for each completed two months of service.

(c) For the purpose of administering sub-clauses (a) and (b) herof any service with an employer prior to the 25th August, 1939, shall not be taken into account.

(19) **TERMINATION OF EMPLOYMENT.**—(a) 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 an employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct (in which case wages shall be paid up to the time of dismissal only), or to deduct payment for any day the employee cannot usefully be employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be 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 or her employment without notice shall forfeit 44 hours' wages which may be deducted from any wages due.

D. GRANT, Chairman.

D. B. MORGAN, Secretary.

Melbourne, 28th August, 1940.