



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 402]

FRIDAY, NOVEMBER 29.

[1940

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 3 (BUTCHERS).

NOTE.—(1) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts, and the Order in Council thereunder, and such portion of the city of Sandringham as is not within the said district; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; the boroughs of Eaglehawk and Sebastopol; and the Moorpanyal and Peak ridings of the shire of Corio.

(2) Butchering and/or Small Goods Making were proclaimed on the 9th October, 1939, as Apprenticeship Trades under the *Apprenticeship Act 1928* for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne, C.2.

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 employed in the process, trade, or business of a butcher, or seller of meat, or maker or seller of small goods," has made the following Determination, namely:—

(1) That on the 27th November, 1940, the adjusted Determination of this Board, which comes into operation as from the beginning of the first pay period to commence in August, 1940, shall be revoked and replaced by this Determination.

(2A)

APPRENTICES AND IMPROVERS.

Apprentices and Improvers (other than Carters and Drivers) employed in Abattoirs or Meat Markets within the Metropolitan District and such portion of the city of Sandringham as is not within the said Metropolitan District.

	Weekly Wage.
	£ s. d.
1st year's experience	1 13 6
2nd	2 3 6
3rd	2 8 6
4th	3 7 6
5th year	Minimum wage

PROPORTION (BY ANY EMPLOYER).

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than the minimum wage prescribed by this Determination.

Improvers.

Such number of improvers as shall not, together with apprentices, exceed, in the aggregate, one to every three or fraction of three adult weekly workers receiving not less than the minimum wage.

Apprentices and Improvers not elsewhere included.

Apprentices.		Weekly Wage.
Five Year Terms.		£ s. d.
First year .. .. .	.. .. .	0 15 6
Second year .. .. .	.. .. .	1 0 6
Third year .. .. .	.. .. .	1 17 6
Fourth year .. .. .	.. .. .	2 13 6
Fifth year .. .. .	.. .. .	3 9 0
Four Year Terms.		
First year .. .. .	.. .. .	0 17 6
Second year .. .. .	.. .. .	1 12 0
Third year .. .. .	.. .. .	2 13 6
Fourth year .. .. .	.. .. .	3 9 6

EMPLOYMENT OF MALE JUNIORS.

(a) In such portions of the State of Victoria as come within the purview of the Apprenticeship Commission after a probationary period of four months male juniors shall only be employed as apprentices. The periods and conditions of such employment (except wage rates) and the duties and responsibilities of such apprentices and their employers shall be as prescribed by such Commission.

(b) In all other areas covered by this Determination unapprenticed juniors may be employed on the following terms:—
After a probationary period of six months each junior for a period of at least four years shall be trained to be a general butcher, and shall not be dismissed from his employment during such period except for inefficiency or misconduct or in the event of the employer ceasing to carry on business or who for financial reasons becomes unable to employ labour.

APPRENTICES AND IMPROVERS—continued.

Employed as Carters and Drivers in or in connexion with Abattoirs or Meat Markets in all Areas to which this Determination applies.		Apprentices and Improvers not elsewhere included.	
IMPROVERS.		The wage rates of unapprenticed junior labour shall be as follows:—	
	Weekly Wage. £ s. d.		Weekly Wage. £ s. d.
Under 18 years	2 11 6	First six months' experience	0 15 6
18 years and under 19 years	3 0 9	Second six months' experience	1 0 6
19 years and under 20 years	3 7 0	Second year's experience	1 9 6
20 years	Minimum wage	Third year's experience	2 0 6
No carter or driver under 19 years of age shall be allowed to drive or be in charge of more than one horse in the Metropolitan District.		Fourth year's experience	2 18 9
No carter or driver under 18 years of age shall be allowed to have sole charge of a motor vehicle.		Fifth year's experience and until reaching the age of 21 years	3 12 0
PROPORTION (BY ANY EMPLOYER).		PROPORTION OF JUVENILES AND APPRENTICES.	
One improver to every five drivers receiving not less than the minimum wage.		The number of apprentices and/or unapprenticed juniors employed in any one shop, whether consisting of a shop, small goods factory, or factory only, or of a shop and factory combined, shall not exceed one to every three or fraction of three adult weekly employees. An employee actually working in the shop or the factory for the whole or a substantial part of his time shall be treated as an adult for the purpose of this clause.	

(2b)

OTHER EMPLOYEES.

	Weekly Wage.		
	Within the Metropolitan District and such portion of the city of Sandringham as is not within the said Metropolitan District.	In Ballarat, Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	In the cities of Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the Moorparanyal and Peak Ridings of the Shire of Corio.
	Per week of 44 hours. £ s. d.	Per week of 44 hours. £ s. d.	Per week of 44 hours. £ s. d.
DIVISION A.—ABATTOIRS OR MEAT MARKETS.			
Tacklemen	6 3 0	..	..
Slaughtermen	5 14 0	..	..
Head and Feet Boners	5 0 0	..	..
Scalders	5 0 0	..	..
Meat Lumpers	4 17 6	..	..
Offal labourers (including persons handling, or breaking out crown fats from, offals sent to boiling down)	4 14 0	..	..
General labourers	4 11 6	..	..
DIVISION B.—RETAIL SHOPS.			
Employees in country butchers' shops required to do any slaughtering as herein defined in the slaughter-house associated with such shop for more than 24 hours per week .. .. .	..	5 7 0	5 10 0
Employees who do slaughtering for 24 hours or less in a slaughter-house associated with a butcher's shop—	..	..	..
Whilst employed on such work .. .. .	..	5 7 0	5 10 0
Whilst employed on other work .. .. .	..	At the rates prescribed for such work	..
Slaughtermen employed in abattoirs outside the metropolitan area of Melbourne	..	5 17 0	6 0 0
Definition:—"Slaughtering" means and includes taking charge of slaughter yard, penning up, knocking down, pithing, sticking, bleeding, dressing, skinning, necking off, cutting down, hanging back, and washing.	..	..	..
General butcher in charge of branch shop	5 14 0	5 11 0	5 14 0
General butchers who in the course of their duties act as shopmen or who are engaged principally cutting for window displays	5 8 0	5 5 0	5 8 0
Other general butchers not called on to serve in shops and including men who cut and deliver meat to customers outside the shop	5 5 0	5 2 0	5 5 0
Small goods makers in butchers' shops, boners, salters, scalders, and cooks	5 1 0	4 18 0	5 1 0
Ordermen who deliver but do not cut meat and who are not carters and drivers	4 12 0	4 9 0	4 12 0
All others	4 10 0	4 7 0	4 10 0
Definition:—"General butcher" means an adult who has served an apprenticeship or has had at least four years' general experience in general butchery and is not exclusively employed in the making of small goods.	..	..	..
DIVISION C.—SMALL GOODS SECTION.			
Employees in the country required to do any slaughtering as defined in Division B in the slaughter-house associated with a small goods factory for more than 24 hours per week .. .. .	..	5 7 0	5 10 0
Employees who do slaughtering for 24 hours or less per week in a slaughter-house associated with a small goods factory—	..	..	..
Whilst employed on such work .. .. .	..	5 7 0	5 10 0
Whilst employed on other work .. .. .	..	At the rates prescribed for such work	..
Men employed principally on mixing machines	5 8 0	5 5 0	5 8 0
Fillermen	5 1 0	4 18 0	5 1 0
Small goods makers, butchers, small goods sellers from cart who collect cash, boners, salters, scalders, and cooks	5 1 0	4 18 0	5 1 0
Packing-room hands	4 14 0	4 11 0	4 14 0
Linkers and table hands	4 14 0	4 11 0	4 14 0
All others	4 10 0	4 7 0	4 10 0

OTHER EMPLOYEES—continued.

	Weekly Wage.		
	Within the Metropolitan District and such portion of the City of Sandringham as is not within the said Metropolitan District.	In Ballarat, Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	In the cities of Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the Moorparryal and Peak Ridings of the Shire of Corio.
	Per week of 48 hours. £ s. d.	Per week of 48 hours. £ s. d.	Per week of 48 hours. £ s. d.
CARTERS AND DRIVERS EMPLOYED IN OR IN CONNEXION WITH ABATTOIRS OR MEAT MARKETS.			
Drivers of Motor Vehicles—			
Not exceeding 25 cwt. capacity	4 13 6	4 10 6	4 13 6
Exceeding 25 cwt. but not exceeding 3 tons capacity	4 17 6	4 14 6	4 17 6
Exceeding 3 tons capacity	5 1 6	4 18 6	5 1 6
Horse Drivers—			
One horse	4 11 0	4 8 0	4 11 0
Two horses	4 13 6	4 10 6	4 13 6
Three horses	4 15 6	4 12 6	4 15 6
Head stableman (if more than one employed)	4 9 0	4 6 0	4 9 0
Other stablemen or grooms	4 5 0	4 2 0	4 5 0
Drivers who do not cart meat, and who are not required to wear special clothing	2s. 6d. per week less than the rate specified	2s. 6d. per week less than the rate specified	2s. 6d. per week less than the rate specified
Drivers who, as part of their duties during the week, are required to collect moneys and account therefor	11d. per week in addition to the rate specified	11d. per week in addition to the rate specified	11d. per week in addition to the rate specified
Drivers of loaded motor vehicles, except tractors, drawing a loaded trailer	11d. per day in addition to the rate specified	11d. per day in addition to the rate specified	11d. per day in addition to the rate specified
Drivers who, during the day, are engaged in carting blood manure or offensive offal			
Drivers who are required to cart meat before 7 a.m. shall be paid as follows:—			
From 1st May to 31st October	8d. per hour in addition to the rate specified	8d. per hour in addition to the rate specified	8d. per hour in addition to the rate specified
From 1st November to 30th April	5d. per hour in addition to the rate specified	5d. per hour in addition to the rate specified	5d. per hour in addition to the rate specified
CARTERS AND DRIVERS (NOT ELSEWHERE INCLUDED).			
Drivers of Motor Vehicles—	Per week of 44 hours. £ s. d.	Per week of 44 hours. £ s. d.	Per week of 44 hours. £ s. d.
Not exceeding 25 cwt. capacity	4 13 6	4 10 6	4 13 6
Exceeding 25 cwt. but not exceeding 3 tons	4 17 6	4 14 6	4 17 6
Exceeding 3 tons capacity	5 1 6	4 18 6	5 1 6
Horse Drivers—			
One horse	4 11 0	4 8 0	4 11 0
Two horses	4 13 6	4 10 6	4 13 6
Three horses	4 15 6	4 12 6	4 15 6

PROVISIONS APPLICABLE TO PERSONS (OTHER THAN MEAT LUMPERS AND CARTERS AND DRIVERS) EMPLOYED IN ABATTOIRS OR MEAT MARKETS WITHIN THE METROPOLITAN DISTRICT AND SUCH PORTION OF THE CITY OF SANDRINGHAM AS IS NOT WITHIN THE SAID METROPOLITAN DISTRICT.

(3) **WEEK'S WORK FOR SLAUGHTERMEN.**—The maximum amount of work to be done by slaughtermen in any week shall be—

Sheep and/or Lambs.			Beef.
During July, August, September and October.		Other Months.	Carcasses.
Woolly Sheep.	Other Sheep and/or Lambs (including Ram Lambs).	Sheep and/or Lambs (including Lamb Rams).	
324 with a maximum of 70 per day on Monday to Friday inclusive and 24 on Saturday	346 with a maximum of 75 per day on Monday to Friday inclusive and 26 on Saturday	346 with a maximum of 75 per day on Monday to Friday inclusive and 26 on Saturday	54 with a maximum of 12 per day on Monday to Friday inclusive and 4 on Saturday
			Provided that the daily quota of beef carcasses where men work in a team shall be ascertained by dividing the number of carcasses slaughtered by the number of men in the team

Where on any day a slaughterman is engaged in mixed killing, he shall not exceed the equivalent of twelve beef carcasses on the basis that one beef carcass equals six woolly sheep or six and one third other sheep and/or lambs (including ram lambs).

A slaughterman's work shall consist of sticking down, taking out neck sweetbreads (if any) taking off the skin, taking out offal, wiping up the carcass, and hanging, all in a workmanlike manner.

Time taken off for collecting pay shall not affect the day's tally.

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

The hours of work on any day shall be continuous except for a meal interval which shall be allowed between the hours of 12 noon and 1 p.m. on Monday to Friday inclusive.

(5) **TERMS OF ENGAGEMENT.**—All employees (other than casuals) shall be paid the full weekly wage fixed herein irrespective of the hours worked not exceeding the weekly hours fixed.

(6) **EMPLOYEE'S WEEK.**—When any employee is engaged for a week's work, each week shall commence from the day on which he is engaged.

(7) TIMES OF BEGINNING AND ENDING WORK—

	Time of beginning.	Time of ending.
Slaughtermen—	{ 7.30 a.m.	4.40 p.m., Monday to Friday inclusive.
	{ 7.30 a.m.	10.40 a.m., Saturday.
All other persons—	{ 7.30 a.m.	5 p.m., Monday to Friday inclusive.
	{ 7.30 a.m.	11 a.m., Saturday.

(8) OVERTIME.—The following rate shall be paid for overtime:—

Within the hours fixed as the times of beginning and ending work in excess of 44 hours in any week } Time and a half.
Outside the hours fixed as the times of beginning and ending work }

(9) CASUAL LABOUR.—Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid the following rates:—

Slaughtermen	28s. per day (Monday to Friday inclusive) and 14s. on Saturday.
Labourers	19s. 6d. per day.

(10) PAYMENT FOR HOLIDAYS.—Employees (other than casual employees) shall be entitled to the following holidays without deduction of pay:—

Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Cup Day, and Butchers' Picnic Day.

(11) SPECIAL RATE FOR SUNDAY AND HOLIDAYS.—Double time shall be the special rate payable for all work done on Sunday and the holidays mentioned in Clause 10, but if any other day be by Act of Parliament or Proclamation substituted for any of such holidays, the special rate shall be payable only for work done on the day so substituted.

(12) NOTICE TO WORK ON HOLIDAYS.—Except in the case of unavoidable accident or emergency, three days' notice shall be given to an employee who is required to work on a holiday prescribed in this Determination.

(13) SMOKE INTERVAL.—All employees shall be allowed twenty minutes smoke each forenoon and afternoon without deduction of pay.

(14) PAYMENT OF WAGES.—Wages shall be paid not later than Friday in each week, and must be paid during working hours.

(15) TERMINATION OF EMPLOYMENT.—Except in a case where an employee is inefficient or has been guilty of a misdemeanour seven days' notice of termination of employment shall be given by either employer or employee. Provided that this clause shall not apply to tacklemen, slaughtermen, or labourers.

(16) STOP WORK MEETINGS.—No stop work meetings shall be held by employees during working hours. If, in contravention of this clause, a stop work meeting should be held, the pay for the time lost may be deducted.

(17) TIME BOOK FOR SLAUGHTERMEN.—Every slaughterman shall indelibly record daily his correct times of beginning and ending work, also the daily tally of work performed by him in a book which shall be furnished by the employer. Such time book shall be produced for inspection during reasonable hours to the Secretary of the Australasian Meat Industry Employees' Union or any official thereof duly authorized in writing by the President and Secretary of the local branch or sub-branch of the Union.

(18) TREATMENT OF INJURED STOCK.—

(a) The employer shall have power to call on slaughtermen during the following periods to kill stock that require immediate treatment, viz.:—During smoke intervals, between 12 and 1 p.m., and after 5 p.m. on week days, and after 11 a.m. on Saturdays. Stock killed during such periods are to be considered extra to the day's tally, and shall be paid for at one and a half times the ordinary rates.

(b) Where a watchman is employed, he shall be able during his period of watch, but not during the hours when slaughtering operations are being carried on, to kill and dress any injured or crippled sheep or lambs that may require attention.

PROVISIONS APPLICABLE TO MEAT LUMPERS EMPLOYED WITHIN THE METROPOLITAN DISTRICT AND SUCH PORTION OF THE CITY OF SANDRINGHAM AS IS NOT WITHIN THE SAID METROPOLITAN DISTRICT.

(19) HOURS.—(a) The market trading hours at the Meat Market are as follows:—

Monday	5 a.m. to 1 p.m.
Tuesday	4.30 a.m. to 1 p.m.
Wednesday	5 a.m. to 12 noon.
Thursday	4.30 a.m. to 1 p.m.
Friday	4.30 a.m. to 4 p.m.
Saturday	6 a.m. to 10 a.m.

(b) When an employee is available for work during the meat trading hours, such hours shall be accounted as hours worked by him.

All work done in excess of nine hours on Monday to Thursday inclusive, and in excess of nine and a half hours on Friday, and in excess of four hours on Saturday, and in excess of 44 hours in any one week, shall be paid for at overtime rates, provided that a meat lumpers who starts work at or after 8 a.m. and is employed during the afternoon shall not come under the provisions of the first and second paragraphs of this clause, and he shall be paid at overtime rates for all work done in excess of nine hours on Monday to Friday inclusive or in excess of four hours on Saturday or in excess of 44 hours in any one week.

(c) One hour shall be allowed each day for a meal between 8 a.m. and 10 a.m., and on Friday one hour also between noon and 2 p.m., but for the meat lumpers who commences work at 8 a.m., the hour shall be between 12 noon and 2 p.m.

(d) Hours of duty shall be continuous except for meals.

(e) No employee shall be required to work for a longer period than five hours without a suitable interval for a meal.

(20) WEEKLY ENGAGEMENT.—Except in the case of casual employees all employment shall be by the week. Employees to become entitled to payment on a weekly basis shall perform such work as the management shall from time to time require on the days and during the hours usually worked by the class of employees affected.

Any employee not attending for duty shall lose his pay for the actual time of such non-attendance unless he produces or forwards within twenty-four hours of the commencement of such absence, satisfactory evidence to the management that his non-attendance was due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence. Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health for more than six days in each year.

Employment shall be terminated only by a week's notice on either side, such notice to be given at any time during the week. This shall not affect the right of the management 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 be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot be reasonably held responsible.

(21) OVERTIME.—(a) If required for duty on any holiday, half-holiday, Saturday afternoon or Sunday, all employees shall be entitled to pay at double the ordinary rate per day.

(b) If required for duty on other days beyond the hours per day prescribed, all employees shall be entitled to pay at the rate of time and a half.

(c) Where overtime has been earned by an employee for working after the number of hours prescribed as a day's work, such overtime shall be paid to him in addition to his weekly wage but the hours on which overtime has been earned shall not be counted in computing the working hours of the week.

(22) PAY DAY.—Wages shall be paid not later than Friday in each week in the employer's time.

(23) GENERAL CONDITIONS OF EMPLOYMENT.—All employers shall keep a time and wages book in which shall be entered the names of all employees, the hours worked and the wages received. Such book shall be open for inspection during reasonable hours by the Secretary of the Australasian Meat Industry Employees Union.

PROVISIONS APPLICABLE TO CARTERS AND DRIVERS EMPLOYED IN CONNEXION WITH ABATTOIRS AND MEAT MARKETS IN ALL AREAS TO WHICH THIS DETERMINATION APPLIES.

(24) **HOURS OF WORK.**—The hours of duty of employees shall not (without payment for overtime) exceed 48 hours per week, and the daily hours shall not (without payment for overtime) exceed 9 hours 40 minutes on Monday to Friday, and 6 hours on Saturday.

Except as provided by Clause 2 (b) and except in the case of stablemen and grooms, such daily hours shall be worked between 7 a.m. and 6 p.m. on Monday to Friday, and 7 a.m. and 1 p.m. on Saturday.

The hours of duty on any day shall be continuous except for meal intervals.

No employee shall be required to work for a longer period than five hours without a suitable interval for a meal.

(25) **OVERTIME.**—All time worked in excess of 9 hours 40 minutes on Monday to Friday, and in excess of 6 hours on Saturday, or in excess of 48 hours per week, shall be paid for at the rate of time and a half.

(26) **WEEKLY ENGAGEMENT.**—Except in the case of casual employees, all employment shall be by the week. Employees to become entitled to payment on a weekly basis shall perform such work as the management shall from time to time require on the days and during the hours specified.

Any weekly employee not attending for duty shall lose his pay for the actual time of such non-attendance, unless he produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the management that his non-attendance was due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence.

Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health or both for more than six days in each year.

Employment shall be terminated only by a week's notice on either side, such notice to be given at any time during the week. This shall not affect the right of the management 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 be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot be reasonably held responsible.

(27) **CASUAL EMPLOYEES.**—Casual employees (i.e. persons employed during any week for not more than one-half the maximum number of hours fixed as a week's work) shall be paid one-sixth of the weekly wage for the class of work they perform, plus 2s. for each day or part of a day on which they are employed.

Where a casual employee is required to perform more than one kind of function on any one day, he shall be paid for the whole day at the highest rate prescribed for any of the functions.

(28) **HOLIDAYS.**—Employees, other than casuals, shall be entitled to the following holidays without deduction of pay:—

Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday and Butchers' Picnic Day.

Provided that within the Metropolitan District, Cup Day shall be observed as a holiday in lieu of King's Birthday.

(29) **SUNDAY AND HOLIDAY RATES.**—(a) Except as hereinafter provided, all time of duty on Sunday and Public Holidays herein prescribed shall be paid for at the rate of double time, that is two days' pay on Sunday, and one day's pay on public holidays in addition to the weekly wage.

(b) Stablemen and grooms, part of whose duties are to feed and attend to horses every day, shall not be entitled to any extra pay for working on Sunday if they are allowed one clear day's rest in seven. If they work on seven days in one week they shall be entitled to Sunday rates for work done on Sunday.

Stablemen and grooms shall not be entitled to any extra pay for work done on public holidays if engaged in the performance of their ordinary duties.

Stablemen and grooms who are required to work continuously seven days in the week shall be allowed one week's holiday on full pay at the expiration of each twelve months' service.

(c) Drivers who are required to be on duty on Sunday to feed and attend to horses where the employer does not employ any stablemen, shall be paid for such Sunday work at the ordinary rate paid for the other six days of the week.

(30) **NOTICE TO WORK ON HOLIDAYS.**—Except in the case of unavoidable accident or emergency, three days' notice shall be given to an employee required to work on a public holiday prescribed in this Determination.

(31) **MIXED FUNCTIONS.**—Where an employee performs on any day functions of a mixed character, he shall be paid for that day at the rate applicable to the function for which the highest rate is payable.

(32) **PAYMENT OF WAGES.**—Wages shall be paid not later than Friday in each week in the employer's time.

PROVISIONS APPLICABLE TO ALL OTHER PERSONS.

(33) **HOURS OF LABOUR.**—(1) In retail butchers' shops and small goods factories the ordinary working hours shall not exceed in number 44 per week.

(2) No time worked on a Sunday shall be reckoned as part of such ordinary hours.

(3) (i) Each daily period of work comprised in such ordinary working hours shall be unbroken except by prescribed meal intervals.

(ii) No such daily period of work shall exceed in duration nine hours exclusive of prescribed meal intervals.

(iii) Such daily periods of work shall be so arranged that on at least one day in each week the employee concerned shall finish his ordinary hours of work not later than 12.30 p.m.

(4) No time worked before 6 a.m. or after 8 p.m. shall be reckoned as part of such ordinary hours.

(5) (i) Subject to compliance with the foregoing provisions and with those hereinafter contained the employer may for any of his employees fix each day's starting and finishing times of ordinary hours of work (inclusive of special starting and finishing times for any day next preceding a public holiday observed by him for the employee concerned).

(ii) The employer shall state such times in advance in a notice posted in his establishment so as to be readily accessible and visible to the employee concerned.

(iii) The employer may from time to time substitute other starting and finishing times if not less than a week in advance of the substituted times he states such times in a notice posted so as to be visible to the employee concerned together with the next previous notice concerning such times.

(iv) Every fixation of starting and finishing times shall be made in respect of a period which shall not be less than a week in length.

(34) **MEAL INTERVALS.**—(a) Employees shall be granted one hour for lunch on a full working day between noon and 2 p.m.

(b) Employees called upon to start work before 7 a.m. shall be allowed one hour for breakfast to commence before 10 a.m.

(c) Meal intervals where allowed shall not be counted as part of the daily or weekly hours worked.

(35) **OVERTIME.**—All time worked—

(a) In excess of 44 hours per week; or

(b) In excess of 9 hours on five days of the week and 5½ hours on the day on which the ordinary hours of work are fixed to finish not later than 12.30 p.m.; or

(c) Before the fixed starting time or after the fixed finishing time—

shall be paid for at overtime rate namely time and a half.

No employee shall be called upon to work overtime after 7 p.m. without a break of one hour or payment of 2s. tea money.

(36) **SPECIAL RATES AND ALLOWANCES.**—Where an employee is temporarily transferred during working hours from one shop or factory to another the employer shall pay such employee all costs of transit and travelling time.

(37) HOLIDAYS.—(a) The following days or the days observed in lieu thereof except for the unavoidable delivery of small goods shall be holidays and shall be paid for as though worked—

New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Christmas Day, Boxing Day, and Union Picnic Day.

For work done in the delivery of small goods on these days, time and a half rates shall be paid up to 9.30 a.m., and on Good Friday up to 11.30 a.m.

(b) In the Metropolitan District, Melbourne Cup Day shall be observed as a holiday instead of King's Birthday.

(c) On any such holidays except Christmas Day, Anzac Day and Union Picnic Day, employees if required shall work for not more than two hours, but on Good Friday for not more than four hours at time and a half rates.

(d) If an employee is dismissed within fourteen days before any of the holidays above mentioned and is re-engaged within fourteen days after any of the holidays above mentioned he shall be deemed to have been dismissed for the purpose of evading payment for such holidays and any payment so evaded shall be due and payable to the employee.

(e) For any work done on holidays except as provided in the preceding sub-clause of this clause, double time shall be paid.

(38) SUNDAY WORK.—All work performed on Sundays except attention to horses or other live stock shall be paid for at double rates. For attention to horses or other live stock on Sundays ordinary rates shall be paid.

(39) PAYMENT OF WAGES.—(a) Wages due under this Determination to a weekly employee shall be paid in cash not later than Thursday in each week.

(b) Employers may, if they so desire, keep two days' pay in hand.

(c) Where the services of an employee are dispensed with all wages owing to him shall be paid to him on the day of dismissal.

(d) Wages due under this Determination to a casual employee shall be paid immediately on the termination of work on each day on which he is engaged.

(40) TIME BOOKS.—(a) Each employer at each place at which he carries on business under this Determination shall provide at time book or time sheet in which each day's hours of work of each employee shall be entered (including overtime, if any), and the wages received each week; such entries shall, at least once a week, be vouched for by the signature of the employer or his representative or manager.

(b) The time book or time sheet so entered and vouched for if countersigned by an employee representing the Union of employees shall be evidence of the time actually worked by an employee for all purposes under this Determination including overtime.

(c) The time book or time sheet shall, on demand, be produced by the employer for inspection at the place where it is kept at any time between 10 a.m. and 4 p.m. Monday to Thursday inclusive and between 10 a.m. and 1 p.m. on Friday to an official of the Australasian Meat Industry Employees' Union who has been authorized, in writing, to inspect the same by the General Secretary or the Secretary of a State Branch of the said Union; or to an official of the Master Butchers' Meat and Allied Trades' Federation of Australia who has been authorized, in writing, to inspect the same by the General Secretary or the Secretary of a State Branch of the said Federation.

Provided that one further demand may be made within a fortnight of a previous demand if the secretary, district secretary, or organizer certifies in writing that the reason for such further demand is that he suspects that a breach of this Determination is being or has been committed, and that such certificate is produced to and a copy thereof handed to the employer or his responsible officer at the time of demanding such further inspection.

(d) An inspection shall not be demanded unless the Secretary of the Union or Federation or the District Secretary or Organizer of any division of the Union or Federation suspects that a breach of this Determination is being or has been committed.

(e) Only one demand for such inspection shall be made in any one fortnight at the same establishment and no inspection shall be demanded on a Saturday.

(f) The official making an inspection shall be entitled to take a copy of entries in the time book or time sheet relating to the suspected breach of this Determination.

(41) RIGHT OF ENTRY.—A duly accredited representative of the Australasian Meat Industry Employees' Union shall have the right to enter employers' premises during the meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:—

(a) That he produces his authority to the manager or such other person as may be appointed by the employer;

(b) That he interviews employees only at the place where they are taking their meal;

(c) That not more than one representative visit the premises at any one time;

(d) That not more than one representative visit the same premises more than once in a week;

(e) That if any employer alleges that a representative is unduly interfering with his business or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions such employer may refuse the right of entry.

(42) ENGAGEMENT.—(a) Except in casual employment, all employment shall be by the week. An employee, to become entitled to payment on a weekly basis, shall perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected.

(b) Employment other than casual shall be terminated only by a week's notice on either side, and such notice may be given at any time during the week. This shall not affect the right of an employer to dismiss an employee without notice for unalleging, 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 on which an employee cannot be usefully employed because of any strike or through any breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) An employee not attending for duty shall lose his pay for the actual time of such non-attendance unless he produces or forwards to his employer, within twenty-four hours of the commencement of such absence, evidence satisfactory to the employer that his non-attendance is due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence.

Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health, or both, for more than six days in each year. An employer may by agreement with any employee grant such employee a clear week's holiday on full pay in lieu of payment for absences through sickness.

For the purposes of this clause the period between the coming into operation of this clause and the first day of July, 1940, shall constitute a year and thereafter each year shall commence on the first day of July.

(43) CASUAL EMPLOYEES.—(a) A casual employee, that is, an employee who is not employed for a full week, shall be paid one-sixth of the weekly wage prescribed in this Determination for the class of work he performs, plus 10 per cent. of such one-sixth for each day or part of a day on which he is employed. For time worked in excess of 8 hours on any one day, time and a half rates shall be paid.

(b) Where a casual employee is required to perform more than one class of work on any one day, he shall be paid for the whole of that day at the highest wage prescribed in this Determination for any of the work which he performs.

(c) In addition to the rate payable under sub-clause (a) hereof casual employees shall be paid all fares above 4d. per day reasonably and necessarily incurred.

(44) MIXED FUNCTIONS.—Where an employee performs on any day functions of a mixed character he shall be paid for that day the wage rate applicable to the function for which the highest rate is payable.

(45) MISCELLANEOUS PROVISIONS.—(a) The employer shall provide boiling water for the use of employees at meal times.

(b) First-aid appliances and requisites shall be provided free of cost by employers for the use of employees meeting with injuries while on duty.

(c) The employer shall provide for his employees reasonable facilities for the taking of meals and changing clothes.

(46) POSTING DETERMINATION.—A copy of this Determination shall be posted up by the employer in a conspicuous place accessible to all employees.

(47) **LIMITATION OF FEMALE LABOUR IN RETAIL BUTCHERS' SHOPS.**—Except as provided in this clause no female shall be engaged in work or be employed in a retail butcher's shop: Provided that an employer may engage one or more females to act as cashier or cashiers and to perform general clerical work in any shop, the number so engaged not to exceed that necessarily required to perform such work in such shop: Provided further that a female having been so engaged may perform the following work in addition to her duties as cashier or clerk:—

- (a) wrap meat or small goods either in paper or cartons;
- (b) divide sausages, frankforts, or other small goods, and for this purpose may use a knife for cutting purposes;
- (c) sell goods already prepared but not fresh uncooked meat; and
- (d) sell fresh uncooked meat at any time in which all male employees in such shop are necessarily absent therefrom because of the lunch period or other good reason and only during any such time but not otherwise may use a knife for the purpose of cutting fresh uncooked meat.

(48) **PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates set out in clause 2 (B) are based on 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 apprentices and improvers in clause 2 (A) above 21s. shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (49).

Basic Wage.

Place.	Basic Wage.	Additional Constant Loading.	Index Number Set Assigned.
Within the Metropolitan District and such portion of the city of Sandringham as is not within the said Metropolitan District In the cities of Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the Moorpanyal and Peak Ridings of the shire of Corio— same as contemporaneous basic wage for Melbourne. Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.	£ s. d. 3 18 0	s. d. 6 0	Melbourne

(49) **ADJUSTMENT OF BASIC WAGE.**—(a) Until the beginning of the first pay period to commence in February, 1941, the amount of the basic wage shall be as prescribed in clause (48).

(b) During each future successive period beginning with the first pay period to commence in a February, a May, an August or a November 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 to a place 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 plus the additional constant loading as prescribed in clause (48).

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
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
834-845	3 8 0	933-944	3 16 0
846-858	3 9 0	945-956	3 17 0
859-870	3 10 0	957-969	3 18 0
871-882	3 11 0	970-981	3 19 0
883-895	3 12 0	982-993	4 0 0

RAY H. BEERS, P.M. Chairman.

GEO. E. PARR, Secretary.

Melbourne, 12th November, 1940.



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 403]

FRIDAY, NOVEMBER 29.

[1940

Factories and Shops Acts.

DETERMINATION OF THE FACTORY ENGINE DRIVERS BOARD.

NOTES.—(A) This Determination applies to the whole of the State of Victoria.

(B) On the 22nd June, 1914, and 17th August, 1920, respectively, the powers of the Factory Engine-drivers Board were extended to enable it to "fix the lowest prices or rates which may be paid to any person employed in the occupation of—

- (a) a boiler cleaner;
- (b) an engine-driver or attendant in connexion with the use of internal combustion engines or electrical engines other than internal combustion engines or electrical engines connected with mines."

(C) On the 16th April, 1935, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any person employed in the occupation of—

- (a) a fireman, boiler attendant, boiler cleaner, or engine-driver in connexion with steam engines or steam boilers in or about plants for crushing metalliferous ores;
- (b) an engine-driver or attendant in connexion with the use of internal combustion engines or electrical engines in or about plant for crushing metalliferous ores—

and such power was conferred exclusively on the Mining Engine-drivers Board.

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 whosoever employed in the occupation of a fireman, boiler attendant, or engine-driver, in connexion with the use of steam-boilers or steam-engines other than steam-boilers or steam-engines connected with mines," has made the following Determination, namely:—

(1) That on the 22nd November, 1940, the last previous Determination of this Board, shall be revoked and replaced by this Determination.

(2) **EMPLOYEES—OTHER THAN JUNIORS PROVIDED FOR IN CLAUSE (3).**

	Wages per Week.			
	Persons other than those Employed in Bush Saw-mills.			Persons Employed in— (a) Bush Saw-mills; (b) All parts of Victoria not elsewhere included.
	Within 20 miles of G.P.O., Melbourne, 10 miles of Chief P.O., Geelong, at Warrnambool, and in the Gippsland District.	Within 15 miles of the Mildura Post Office.	At Yallourn.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
A.—STATIONARY ENGINE DRIVERS.				
<i>Steam Engines.</i>				
First-class	4 19 0	5 5 0	5 5 6	4 16 0
First-class, with condenser	5 2 0	5 8 0	5 8 6	4 19 0
Second-class	4 16 0	5 2 0	5 2 6	4 13 0
Second-class, with condenser	4 19 0	5 5 0	5 5 6	4 16 0
<i>Suction Gas or Other Internal Combustion Engine.</i>				
Fifty brake horse-power or over	4 19 0	5 5 0	5 5 6	4 16 0
Under fifty brake horse-power	4 16 0	5 2 0	5 2 6	4 13 0
<i>Electric Motors.</i>				
Attendants	4 13 0	4 19 0	4 19 6	4 10 0
B.—LOCOMOTIVE ENGINE DRIVERS.				
If human beings other than train crew are sometimes or always carried	5 11 6	5 17 6	5 18 0	5 8 6
Others	5 6 6	5 12 6	5 13 0	5 3 6
If the gauge is less than three feet, 3s. per week less in each case.				

EMPLOYEES—OTHER THAN JUNIORS PROVIDED FOR IN CLAUSE (3)—continued.

	Wages per Week.			
	Persons other than those Employed in Bush Saw-mills.			Persons Employed in— (a) Bush Saw-mills; (b) All parts of Victoria not elsewhere included.
	Within 20 miles of G.P.O., Melbourne, 10 miles of Chief P.O., Geelong, at Warrnambool, and in the Gippsland District.	Within 15 miles of the Mildura Post Office.	At Yallourn.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
C.—NAVIES AND DRAG LINE OR DREDGE TYPE EXCAVATORS.				
Driver	5 17 0	6 3 0	6 3 6	5 14 0
Second driver	5 5 0	5 11 0	5 11 6	5 2 0
D.—WINCH DRIVERS.				
Log haulers on timber mills or on tramways on timber mill (exceeding 8-inch diameter cylinders)	4 19 0	5 5 0	5 5 6	4 16 0
Others	4 16 6	5 2 6	5 3 0	4 13 6
E.—CRANE DRIVERS.				
Lofty cranes—first-class	5 14 0	6 0 0	6 0 6	5 11 0
Lofty cranes—second-class	5 11 6	5 17 6	5 18 0	5 8 6
Lofty cranes—third-class	5 9 0	5 15 0	5 15 6	5 6 0
Cantilever cranes	5 11 6	5 17 6	5 18 0	5 8 6
Cranes in converter sheds	5 6 6	5 12 6	5 13 0	5 3 6
Cranes transporting molten metal in foundries	5 4 0	5 10 0	5 10 6	5 1 0
Steam travelling cranes	5 4 0	5 10 0	5 10 6	5 1 0
Other steam cranes	5 1 6	5 7 6	5 8 0	4 18 6
Grab cranes	5 4 0	5 10 0	5 10 6	5 1 0
Electric cranes not elsewhere included—				
Four motions and over				
Overhead traverser with auxiliary hoist				
Traverser with jib hoist	4 19 0	5 5 0	5 5 6	4 16 0
Two or three motions				
Overhead traverser				
Stationary jib; stationary jib hoist				
Traverser jib				
Hydraulic stationary jib cranes	4 16 6	5 2 6	5 3 0	4 13 6
Cranes and hoists not elsewhere included	4 14 0	5 0 0	5 0 6	4 11 0
String cranes—five tons or less	4 10 0	4 16 0	4 16 6	4 7 0
F.—DRIVERS OF TRACTION ENGINES.				
<i>Road.</i>				
Traction engine or road roller (steam)	5 1 6	5 7 6	5 8 0	4 18 6
Road roller (oil)	5 0 6	5 6 6	5 7 0	4 17 6
Traction engine (oil—35 h.p. and over)	5 0 6	5 6 6	5 7 0	4 17 6
Traction engine (oil—under 35 h.p.)	4 19 0	5 5 0	5 5 6	4 16 0
<i>Rail.</i>				
Electric traction motor	4 14 0	5 0 0	5 0 6	4 11 0
Internal combustion traction motor	4 14 0	5 0 0	5 0 6	4 11 0
G.—FIREMEN.				
Fireman	4 11 6	4 17 6	4 18 0	4 8 6
Fireman—first-class	4 16 0	5 2 0	5 2 6	4 13 0
Leading fireman—first-class	5 2 0	5 8 0	5 8 6	4 19 0
Leading fireman—second-class	4 19 0	5 5 0	5 5 6	4 16 0
Locomotive fireman	4 14 0	5 0 0	5 0 6	4 11 0
H.—GREASERS.				
Greasers	4 11 6	4 17 6	4 18 0	4 8 6
Greasers—first-class	4 16 0	5 2 0	5 2 6	4 13 0
Trimmers	4 9 0	4 15 0	4 15 6	4 6 0
Fuelmen	4 9 0	4 15 0	4 15 6	4 6 0
Engine cleaners	4 9 0	4 15 0	4 15 6	4 6 0
Boiler cleaners	4 9 0	4 15 0	4 15 6	4 6 0
Provided that any person engaged inside the gas or water space of any boiler, flue or economizer, in cleaning or scraping work shall, whilst so employed, be paid 9d. per hour in addition to his ordinary or overtime rate of pay.				
I.—OTHERS.				
Pile-driving machine	5 2 0	5 8 0	5 8 6	4 19 0
All others	4 4 0	4 10 0	4 10 6	4 1 0

Male adult employees in bush sawmills shall, in addition to the wages shown above, be paid 2s. per week in lieu of payment under clause (5) for absences arising from sickness or accident.

J.—ADDITIONAL RATES.

An engine-driver engaged as hereinafter specified shall be paid additional rates as follow, viz.:—

	Per week.
	s. d.
Attending to refrigerating compressor	6 0
Attending to electric generator or dynamo exceeding 10 kilowatt capacity ..	6 0
Engine-driver in charge of plant	6 0

Provided that these rates shall not be cumulative to the extent of increasing the wage of an employee more than 32s. above the rate for "All Others," and provided further that an engine-driver attending a refrigerating compressor shall not be paid a rate less than 18s. above that fixed for "All Others."

Extra rates payable under this sub-clause shall be regarded as part of an employee's ordinary wage for the purposes of this Determination.

(3) JUNIOR LABOUR.—(a) The minimum rates of wage to be paid to juniors working as greasers or as cleaners or as motor drivers or attendants where the motor does not exceed 50 horse-power in all shall be:—

	Per week.
	£ s. d.
If under 16 years of age	1 11 9
If 16 and under 18 years of age	2 2 0
If 18 and under 19 years of age	3 1 0
If 19 and under 20 years of age	3 14 0

(b) If a cleaner or greaser sometimes under the supervision of an engine-driver, stops or starts an engine, he shall be paid 6s. per week extra.

(4) CASUAL LABOUR.—A casual employee (as defined) shall be paid per hour an amount equal to 1 1/10th of the weekly rate prescribed by this Determination for the work performed by him divided by forty-four.

(5) CONTRACT OF EMPLOYMENT.—(a) Except as provided by clause (4), employment shall be by the week. An employee, to become entitled to payment on a weekly basis, shall, except as provided by clause (13), perform such work as the management shall from time to time require on the days and during the hours usually worked by the class of employees affected.

(b) Employment for the first two weeks of service shall be from day to day at the weekly rate fixed. Provided that any employee who has once served a probationary period of two weeks with any employer shall not be subject to be employed for a second probationary period with the same employer, except when his re-engagement takes place at least one month after the termination of his employment. Provided further that an employee shall be paid for any holiday or holidays which occur during any period he is employed on probation pursuant to this clause.

(c) Any employee not attending for duty shall lose his pay for the actual time of such non-attendance unless he produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the management that his non-attendance was due to personal accident arising out of and in the course of his employment or to personal ill-health, necessitating such absence. Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health or both for more than four days in each year commencing on the 1st August.

(d) Employment shall be terminated by a week's notice on either side, such notice to be given at any time during the week. This shall not affect the right of the management to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such case wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot be usefully employed because of any strike by the Federated Engine-drivers and Firemen's Association of Australasia or any other Union or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible. Provided that, where an employer orders employees not to work on any day because of the state of the weather, such order shall not deprive the employees of their claim for payment under their weekly engagements, but if such employees cease work on any day because of the state of the weather without being ordered to do so, they shall not be entitled to payment for time so lost.

(6) HOURS.—(a) For an employee not working on shift the ordinary working hours per week and per day respectively shall be of the same number as those worked in the particular workshop, factory, or working place at which such employee works by the majority of the employees not working on shift who are engaged therein in connexion with the operation for which is used the power or steam supplied with the aid of such employee.

Provided that if the number of hours worked by such majority exceeds 44 per week, the ordinary working hours for such employee shall not exceed 44 per week nor 8 in any one day if a six-day week be worked, nor 8 hours 48 minutes in any one day if a five-day week be worked.

(b) Time occupied in raising steam or closing down engines or banking fires shall be regarded as time worked.

(c) For employees not working on shift a regular starting and finishing time shall be fixed, which shall not be changed except after notice of at least a week to the employee concerned.

(d) For employees working on shift the ordinary working hours shall be as provided in clause (12) hereof.

(e) In country and bush sawmills, each engine-driver or fireman when so engaged shall be allowed the following time at ordinary rates for preparing or closing down engines or for raising steam or banking fires on boilers:—

(i) If such engine-driver or fireman be resident at the mill site, one hour per day;

(ii) Where such engine-driver or fireman resides away from the mill site, one hour and a half per day.

(7) MEAL INTERVAL.—Except on shift work, provision shall as far as practicable be made by the employer to enable an employee to have a midday meal interval of not less than 40 minutes nor more than one hour on all working days except Saturday. Such meal interval shall not be deemed to be time worked, and the time of ceasing work shall be extended by time equal to the duration of the meal interval.

For all work done during such meal interval and thereafter until a meal break is allowed, payment shall be made at the rate of time and a half.

(8) MEAL INTERVAL DURING OVERTIME.—(a) Until further order, employees shall be allowed the same conditions as to the meals and meal intervals to be allowed while working overtime as are prescribed by award or Determination—Commonwealth or State—for the general body of employees of the industry in which they are employed.

(b) In any case to which sub-clause (a) hereof does not apply, an employee required to work overtime for more than two hours without being notified the day before that he will be so required to work shall either be supplied with a meal by the employer or paid 1s. 6d.; or if work extends into a second meal hour, 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

If an employee pursuant to notice has provided a meal or meals, and is not required to work overtime, he shall be paid for each meal so provided.

(9) OVERTIME.—(a) For all time worked on week days outside the hours prescribed in clause (6) hereof, overtime shall be paid at the rate of time and a half for the first four hours and double time thereafter.

(b) An employee recalled after leaving his place of work to work overtime shall be paid for a minimum of three hours' work at the appropriate rate.

(c) An employee occasionally required to hold himself in readiness, either at his home, his place of work or elsewhere, to work after ordinary hours or on a Sunday or holiday, shall be paid standing-by time at his ordinary rate of wage for the time from which he is to hold himself in readiness until released.

(d) When an employee working overtime finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home or pay him at his ordinary rate of wage for the time occupied in reaching his home.

(e) When an employee is required to work overtime after his usual ceasing time so long as not to permit him having at least eight consecutive hours for rest between the time of his ceasing to work such overtime and the ordinary time for commencing his next shift, he shall be entitled to absent himself from work until he has had eight consecutive hours off duty, but shall not be paid for such period of absence.

(10) HOLIDAYS.—All employees shall be entitled to the same holidays as are observed by the general body of employees of the industry in which they are employed.

(11) SUNDAY AND HOLIDAY RATE.—(a) In the case of continuous or recurring work necessarily done in the ordinary course directly for the establishment's usual production or service upon Sundays or holidays as well as upon other days of the week, ordinary time or shift worked on a Sunday or holiday shall be paid for at the rate of time and a half, but in all other cases all time on duty on Sundays or holidays shall be paid for at the rate of double time. Provided that time worked on Sundays or holidays shall be paid for at the rate of time and a half whenever repairs to, maintenance or renewals of engines, boilers or other machinery in any undertaking have necessarily to be done on Sundays or holidays to allow work to proceed properly next day.

(b) To complete a shift an employee may be required to work up to 6 a.m. on a holiday at ordinary rates, provided that such employee is not required to work his usual shift commencing on the holiday.

(12) SHIFT WORK.—(a) The ordinary working hours of employees on shift work shall not exceed an average of 44 per week spread over a period of one, two, three or four weeks, to be worked in shifts of eight hours, including such time as by mutual arrangement may be taken for meals.

(b) There shall be a roster of shifts which shall—

(i) Provide for rotation unless all the employees concerned desire otherwise;

(ii) Provide for not more than eight shifts to be worked in any nine consecutive days; and

(iii) Not be changed until after four weeks' notice.

So far as employees present themselves for work in accordance therewith, shifts shall be worked according to the roster.

(c) Notwithstanding the preceding sub-clauses (a) and (b), where in any particular workshop, factory or working place at which an employee working on shift is engaged the majority of the employees working on shift therein in connexion with the operations for which is used the power or steam supplied with the aid of such employees work shifts not in accordance with sub-clauses (a) and (b) hereof, such employee shall for his ordinary hours of work work shifts similar in length, roster conditions and crib-times to those of such majority, but this sub-clause shall not apply when such shifts exceed in the aggregate 176 hours in any period of four consecutive weeks, in which case the preceding sub-clauses (a) and (b) shall apply.

(d) For work done by a shift worker outside the ordinary hours of his shift double time shall be paid. But this shall not apply to arrangements between employees themselves or in cases due to rotation of shift or when the relief does not come on duty at the proper time. Provided that where not less than eight hours notice has been given to the employer by the employee that he will be absent from work and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

(e) Employees working afternoon or night shifts which continue for more than one month shall be paid 5 per cent. more than ordinary rates for such shifts. If such shifts continue for less than one month, but for more than five afternoons or nights, 10 per cent. extra shall be paid. If such shifts only continue for five afternoons or nights or less, overtime rates shall be paid. Any shift starting before 6 a.m. or after 10 a.m. shall be deemed to be a night or afternoon shift respectively.

(f) Where in any particular workshop, factory or working place at which an employee working on shift is engaged the majority of the employees working on shift therein in connexion with operations for which is used the power or steam supplied with the aid of such employee receive compensation by way of annual leave or otherwise for working Saturday afternoon, holiday and/or Sunday shifts, such employee shall be given similar compensation for working such shifts.

(g) The hours worked from 11 p.m. to midnight on Sundays or holidays by ordinary shift employees of the Colonial Sugar Refining Co. Ltd. shall not be considered as worked on Sundays or holidays so as to entitle the employees to Sunday or holiday rates for the one hour mentioned.

(13) MIXED FUNCTIONS.—(a) Where the employment or work involves functions of a mixed character, the minimum wages to be paid to the employee for the day or part of a day he is so employed shall be calculated as if he performed such only of the said functions as involve the highest rate of wages under this Determination. If so employed for any part of a day he shall be paid at the highest rate for the whole of such day.

(b) Engine drivers, whilst in charge of their engines, shall only be required to perform such work as may be within the scope of or incidental to engine driving and the generation, use and application of engine power. Provided that engine drivers in charge of engines supplying power to any intermittent process involving regular stoppages, may during such stoppages be required to perform any work necessary or incidental to such intermittent process.

(14) EXTRA RATES NOT CUMULATIVE.—Extra rates herein prescribed are not cumulative so as to exceed the maximum of double the ordinary rates.

(15) TRAVELLING AND CAMPING ALLOWANCES.—Employees shall be allowed the same conditions as to fares, travelling time, travelling allowances, country work, camping allowances as are prescribed by award or Determination—Commonwealth or State—for the general body of employees of the industry in which they are employed.

(16) RIGHT OF ENTRY OF UNION OFFICIALS.—A duly accredited representative of the Federated Enginedrivers and Firemen's Association of Australasia not more than once a fortnight shall have the right to enter during the midday meal hour the portion of an employer's establishment in which any employees engaged upon any class of work to which this Determination applies are employed for the purpose of interviewing such employees on legitimate Union business.

If any employer alleges that a representative is unduly interfering with or is creating disaffection amongst his employees or is offensive in his methods, such employer may refuse the right of entry.

Provided, however, that no employer or person apparently acting on his behalf shall refuse to allow such representative as aforesaid to enter an establishment upon the ground only that it is not then the midday meal interval, unless he shall upon such refusal give the representative full and accurate particulars of the meal hours or crib times of each of the employees engaged upon work to which this determination applies. An employer shall be deemed to have committed a breach of this determination if he or the person apparently acting on his behalf omits, being obliged to do so, to give such particulars as aforesaid.

(17) **TIME AND WAGES BOOK.**—(a) Each employer shall keep a time and wages book at his workshop, factory or mill or other place of work or at an office convenient thereto showing the name of each employee, his classification under this Determination, his time of starting and finishing work each day and the amount of overtime worked, and all amounts paid to him by way of wages, special rates and allowances.

(b) Any time occupied by an employee in filling in any time book or card, or in the making of records, shall be treated as time of duty.

(c) An employer may provide a mechanical clock for the purpose of recording the time of each employee, in which case each employee shall at the end of the week enter such other particulars as may be necessary to comply with sub-clause (a) hereof on some card or document used in connexion with such clock, and such card or document shall be deemed to be the time and wages book.

(d) Such time and wages book shall on demand be produced at reasonable times by the employer for inspection to an official of the Federated Engine-drivers and Firemen's Association of Australasia duly authorized in writing by the president and secretary of the local branch or sub-branch of such Association at the place where the time and wages book is kept pursuant to sub-clause (a) hereof.

The official making such inspection shall be permitted to make and retain a copy of any entry in such time and wages book relating to any matter in respect of which he suspects a breach of this Determination has been committed. He shall, if required to do so, produce for inspection by the employer or his representative any such copy as aforesaid.

(18) **SHOP STEWARDS.**—A shop steward appointed by the employees in each workshop or place of work shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

Provided that this clause shall not apply in any case in which at the one place an employer employs five or less employees to whom this Determination applies.

(19) **RADIATORS.**—Each crane cabin shall, unless otherwise heated, be equipped with a radiator, which the employer shall install and maintain in good order and condition.

(20) **APPLICATION OF DETERMINATION.**—This determination shall not apply to—

- (i) The driving of any internal combustion engine of 30 or less h.p. or any engine or electric motor or any pump, air compressor, pneumatic, or small hoist on which no engine-driver or fireman or greaser is employed as such, but the starting and stopping of and attention to which is done by an employee the greater part of whose time is taken up with other work; or
- (ii) The operation of pneumatic and small hoists and two-motion electric man-power cranes; or
- (iii) The driving of footpath rollers of 30 cwt. and under.

(21) **EXEMPTIONS.**—

Agricultural Implement Makers.

(a) This determination shall not apply to employers who are parties to and bound by the award of the Commonwealth Court of Conciliation and Arbitration made on the 7th day of April, 1936, in the matter of industrial disputes Numbers 24 and 39 of 1935 and 8 of 1936 wherein the Federated Agricultural Implement Machinery and Ironworkers' Association of Australia and other organizations of employees and H. V. McKay Massey Harris Pty. Ltd. and other employers in the agricultural implement making industry are parties, nor to employers parties to and bound by any future award of the said Court made in that industry.

Melbourne and Metropolitan Board of Works.

(b) Clause (15)—Travelling and Camping Allowance—shall not apply to employees of the Melbourne and Metropolitan Board of Works at the Melbourne Metropolitan Farm.

Melbourne Harbour Trust Commissioners.

(c) The Melbourne Harbour Trust Commissioners are exempted from clauses (6) to (15) inclusive of this determination, so long as present conditions of labour are observed and employees engaged driving electric three-ton travelling jib cranes are, during the time they are so engaged, paid 10 per cent. more than the ordinary rate prescribed for the first eight hours worked on Monday to Friday inclusive and four hours on Saturday.

For all time worked in excess of the times prescribed in this sub-clause overtime shall be paid at the rate of time and a half for the first four hours and double time thereafter.

Motor-Body and Coach-Building Industry.

(d) This determination shall not apply to employers who are parties to and bound by the interim award of the Commonwealth Court of Conciliation and Arbitration made on the 15th day of December, 1939, in the matter of industrial disputes Numbers 35, 89, 110, 129, 131, 193, 202, and 204, of 1939, wherein the Vehicle Builders Employees' Federation of Australia and other organizations of employees and General Motors-Holdens Ltd. and other employers in the motor body and coach-building industries are parties, nor to employers parties to and bound by any future award of the said Court made in those industries.

Shire of Kerang.

(e) The Shire of Kerang, in respect of engine-drivers employed on the Kerang to Koondrook Tramway Undertaking, is exempted from clause (6) of this determination so long as it continues to allow each of such employees eighteen days' leave on full pay annually, and to observe in respect of them the following conditions:—

- (a) The ordinary number of hours worked in any day shift shall not exceed nine; and
- (b) Overtime at the rate prescribed by this determination shall be paid—
 - (i) For all time worked in excess of nine hours in any day;
 - (ii) For all time worked in excess of the weekly hours prescribed by clause (6) hereof, provided that overtime payments shall not be cumulative.

Municipal Bodies.

(f) This determination shall apply to the Mayor, Councillors, and Citizens of any City or Town; the Mayor, Councillors, and Burgesses of any Borough, and the President, Councillors, and Ratepayers of any Shire, other than the Shire of Kerang in respect of employees on the Kerang to Koondrook Tramway Undertaking, to the extent that he or they—

- (a) Shall pay not less than the rates prescribed by this determination;
- (b) Shall comply with clauses (16), (17), and (18) hereof; but
- (c) May, in lieu of observing the other conditions prescribed herein, observe the conditions of employment prescribed by the award of the Commonwealth Court of Conciliation and Arbitration made on the 22nd day of August, 1930, in settlement of dispute Number 1 of 1929 between the Federated Municipal and Shire Council Employees' Union of Australia and the Lord Mayor, Aldermen, Councillors and Citizens of the City of Melbourne and others.

(22) DEFINITIONS.—In this determination, except where otherwise clearly intended—

- (a) "Attendant" means a person who attends to an electric motor or motors of thirty horse-power or more in the aggregate, and performs any duties of oiling or cleaning or attending to commutators, brushes, fuses, or switches.
- (b) "Casual employee" means an employee competent to do the work he is engaged to do who is dismissed or refused work without any fault of his own before the expiration of six days from the date he starts work, but does not include an employee usually engaged in another capacity by the employer concerned, and who is called upon to do work coming under the terms of this determination.
- (c) "Engine-driver" means any person who operates or drives any engine or engines, the motive power of which is either steam, gas, oil, water, compressed air, or electricity, and includes any greaser who is called upon in the ordinary course of his duty to do engine-driver's work other than simply stopping or starting an engine under the supervision of an engine-driver.
- (d) "Engine-driver in charge of plant" means—
- When two or more drivers are employed at the plant at one time, the engine-driver who is invested with the superintendence and responsibility or who has to accept the responsibility and superintendence; or
 - When he is the only person of his class employed on the plant, the engine-driver who does the general repair work of the plant in addition to the work of engine-driving, but not when he merely assists a fitter or engineer to do such work.
- (e) "Fireman—first-class" means a fireman who attends to two or more boilers or two or more suction gas generators or one or more boilers or one or more generators developing 1,000 i.h.p. in the aggregate, and includes a fireman of a steam navy or excavator.
- (f) "Greaser—first-class" means a greaser who under the supervision of an engine-driver stops or starts an engine or engines, but does not include any greaser who does so only in cases of necessity or emergency.
- (g) "Leading fireman—first-class" means—
- The fireman employed at a plant where three or more firemen are employed at the same time who is invested with the responsibility and superintendence or who has to accept the responsibility and superintendence; or
 - The fireman employed at a plant where three or more firemen are employed at the same time whose duty it is to attend to the water of boilers that are fired by two or more of the other firemen.
- (h) "Leading fireman—second-class" means—
- The fireman employed at a plant where two firemen are employed at the same time who is invested with the responsibility and superintendence or who has to accept the responsibility and superintendence; or
 - The fireman employed at a plant where two firemen are employed at the same time and whose duty it is to attend to the water of boilers that are fired by the other fireman.
- (i) "Lofty crane—first-class" means a lofty crane on a building in the course of erection or demolition where the driving platform is more than 100 feet above the ground.
- (j) "Lofty crane—second-class" means a lofty crane on a building in the course of erection or demolition where the driving platform is from 20 to 100 feet above the ground.
- (k) "Lofty crane—third-class" means a lofty crane outside buildings not in the course of erection where the driving platform is more than 20 feet from the level of the ground.
- (l) "Steam-engine—first-class" means a turbine or an engine or engines having a single cylinder with a bore of 12 inches in diameter or over, or having singly or together two or more cylinders the sum of the area of whose bores equals or exceeds the area of a circle 12 inches in diameter.
- (m) "Steam-engine—second-class" means an engine or engines having a single cylinder with a bore less than 12 inches in diameter or having singly or together two or more cylinders the sum of the area of whose bores is less than the area of a circle 12 inches in diameter.

(23) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in clause (2) are based upon the following basic wage and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, shall be automatically increased or decreased by the same amount, and at the time, as such basic wage.

The basic wage shown hereunder shall be adjusted as prescribed in clause (24).

Basic Wage.

Place.	Needs Basic Wage (Adjustable). Per Week.	Loading (Constant) Per Week.	Total Basic Wage. Per Week.	Index Number Set Assigned.
Within 20 miles of G.P.O., Melbourne	£ s. d. 3 18 0	£ s. d. 0 6 0	£ s. d. 4 4 0	Melbourne
Within 10 miles of Chief P.O., Geelong, or at Warrnambool—same as the contemporaneous basic wage for Melbourne				
Mildura and Gippsland Districts—same as the contemporaneous basic wage for Melbourne				
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week				
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne				
Bush sawmills wherever situated—3s. less than the contemporaneous basic wage for Melbourne				

(24) ADJUSTMENT OF NEEDS BASIC WAGE.—(a) Until the beginning of the first pay period to commence in February, 1941, the amounts of the basic wage shall be as prescribed in clause (23).

(b) For work done during each future period of or near a quarter beginning with the first pay period to commence in a February, a May, an August, or a November, the amounts of the needs 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 'All Items' 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.

(i) Adjustment is to be based upon the equating of index number 1000 with 81s.

(ii) The index number set to be applied to a place is that assigned thereto in clause (23).

(iii) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.

(iv) The amounts assigned in the following table (or in any extension thereof) to the index number division comprising that number are to be ascertained.

(v) The basic wage shall be of those assigned amounts during such successive period of or near a quarter.

Table.

Index Number Divisions.	Needs Basic Wage (Adjustable). Per Week.	Loading (Constant). Per Week.	Total Basic Wage Per Week.
	£ s. d.		£ s. d.
834-845	3 8 0	} 6s. }	3 14 0
846-858	3 9 0		3 15 0
859-870	3 10 0		3 16 0
871-882	3 11 0		3 17 0
883-895	3 12 0		3 18 0
896-907	3 13 0		3 19 0
908-919	3 14 0		4 0 0
920-932	3 15 0		4 1 0
933-944	3 16 0		4 2 0
945-956	3 17 0		4 3 0
957-969	3 18 0		4 4 0
970-981	3 19 0		4 5 0
982-993	4 0 0		4 6 0
994-1006	4 1 0		4 7 0
1007-1018	4 2 0		4 8 0
1019-1030	4 3 0		4 9 0
1031-1043	4 4 0		4 10 0
1044-1055	4 5 0		4 11 0

Any extension of this table must be of the same construction as the table.

(c) The amounts of the weekly rates for juniors in clause (3) are based upon those set out in sub-clause (d) hereof which have been fixed upon a needs basic wage of 77s. per week, and such rates shall be adjusted proportionately to the average of the needs basic wage for Sydney, Melbourne, Adelaide and Hobart calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded, and shall accord with the rates payable from time to time under the appropriate award of the Commonwealth Court of Conciliation and Arbitration.

(d) The rates upon which adjustments are to be made are as follow, viz.:—

	Adjustable Portion of Wage. Per Week.	Loading (Constant) Per Week.
	£ s. d.	s. d.
If under 16 years of age	1 11 0	0 9
If 16 and under 18 years of age	2 1 0	1 0
If 18 and under 19 years of age	2 19 0	2 0
If 19 and under 20 years of age	3 12 0	2 0

D. GRANT, Chairman.

H. N. JONES, Secretary.

Melbourne, 7th November, 1940.

