



# VICTORIA GOVERNMENT GAZETTE.

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MONDAY, MARCH 10.

[1941

Factories and Shops Acts.

## DETERMINATION OF THE RETAIL DAIRY 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 wheresoever employed in the process, trade, business or occupation of preparing milk or cream for trade or sale by retail” and such power was conferred exclusively on the Retail Dairy 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 appointed to “determine the lowest prices or rates which may be paid to any person or persons wheresoever employed in the process, trade, business or occupation of preparing milk or cream for trade or sale by retail” has made the following Determination, namely:—

(1) That on the 14th March, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

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(5) OVERTIME.—(a) All time worked in excess of six hours on Sunday, eight hours on any other day, or 44 hours in any week shall be paid for at the rate of time and a half.

(b) In the case of a worker who in any week has done work subject to this Determination as well as work subject to an Award and/or another Determination the following provisions shall apply (irrespective of the order in which the several duties may have been performed) when the aggregate hours worked in such week exceed 44 hours :—

(i) When the sum of the hours worked under an Award and/or another Determination is less than 44 he shall be paid overtime for the number of hours by which his work under this Determination carries his total hours beyond 44.

(ii) When the sum of the hours worked under an Award and/or another Determination is 44 or greater than 44 he shall be paid overtime for all work done under this Determination.

Overtime under this clause shall be at the rate of time and a half calculated on the ordinary worker's rate.

In this clause—

“Award” means an award of the Commonwealth Court of Conciliation and Arbitration.

“Determination” means a determination of a Wages Board appointed under the Factories and Shops Acts.

(6) MEALTIME.—No employee shall be permitted to work more than five hours continuously without being allowed a meal period of not less than 30 minutes, and not more than one hour. Such meal period shall not be calculated as time worked.

(7) TIME BOOK OR OTHER RECORD.—(a) Each employer shall at the place of employment keep a record or time book in which each employee shall indelibly record daily his or her correct times of beginning and ending work, and in addition in such record or time book shall also indelibly record the total weekly hours worked and the amount of wages received for such week.

(b) Such record or time book shall, on demand, be produced by the employer for inspection to any officials (not more than two at one time) of the Federated Cold Storage and Meat Preserving Employees Union of Australasia duly authorized in writing by the President and Secretary of the local branch or sub-branch of the Union, at the place of employment. Such inspection shall be completed as soon as is reasonably possible.

(c) Where an employee performs work for which a special rate is provided, a record of such work and the nature of same shall be recorded in the time book or equivalent record.

(d) The record or time book shall show the particulars herein required for not less than the last preceding three months of employment.

(8) TERMINATION OF EMPLOYMENT.—Seven days' notice of termination of employment shall be given by either employer or worker. Notwithstanding anything in this clause an employer may at any time forthwith dismiss an employee for refusal or neglect to obey orders, misconduct or carelessness in the performance of his duties, or if after receiving seven days' notice of termination of employment the employee does not carry out his duties in the same manner as before such notice.

(9) HOLIDAYS.—An employee shall be allowed two weeks' holiday on full pay at the expiration of each twelve months' service.

If an employee leaves or is dismissed before the expiration of twelve months, he shall be given or paid for holidays *pro rata* in accordance with the length of service, namely, one day for each month of service.

If the business be sold or transferred during the period of service, the employee shall be entitled to the two weeks' holiday at the conclusion of twelve months' service with the business.

(10) 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.

(11) TERMS OF ENGAGEMENT.—All employees shall be paid the full weekly wage irrespective of the number of hours fixed not exceeding 44 per week.

D. GRANT, Chairman.

J. R. MACPHERSON, Secretary.

Melbourne, 26th February, 1941.