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# VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, MAY 14.

[1942

Factories and Shops Acts.

## DETERMINATION OF THE GLUE AND GELATINE BOARD.

NOTE.—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; such portions of the city of Sandringham as are not included within the said Metropolitan 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 Shire of Beechworth.

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 manufacturing glue and gelatine" has made the following Determination, namely:—

(1) That on the 10th April, 1942, the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1942, shall be revoked and replaced by this Determination.

(2) (a) ADULT MALES.

	Adjustable Weekly Rate.	Non Adjustable.		Total Weekly Wage.
		Constant Loading.	War Loading.	
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Men working in raw material stores .. .. .	89 0	6 0	7 6	102 6
Men working raw material cutting machine .. .. .	90 0	6 0	7 6	103 6
Men washing raw material and preparing limes and working at trotter plant .. .. .	89 0	6 0	7 6	102 6
Men working at lime pits .. .. .	91 0	6 0	7 6	104 6
Men in charge of and actually operating dollies .. .. .	93 0	6 0	7 6	106 6
Men assisting in dolly shed .. .. .	89 0	6 0	7 6	102 6
Men in charge of and actually working at boiling pans .. .. .	91 0	6 0	7 6	104 6
Men assisting in boiling shed .. .. .	89 0	6 0	7 6	102 6
Men in charge of and actually working at vacuum evaporators, bone kettles, glue and gelatine filters, concentrated liquor vats and coolers .. .. .	93 0	6 0	7 6	106 6
Men assisting .. .. .	89 0	6 0	7 6	102 6
Men operating glue and gelatine cutters .. .. .	90 0	6 0	7 6	103 6
Men assisting .. .. .	89 0	6 0	7 6	102 6
Men working at drying tunnels .. .. .	89 0	6 0	7 6	102 6
Men engaged in grinding glue and gelatine .. .. .	90 0	6 0	7 6	103 6
Men engaged treating frames .. .. .	89 0	6 0	7 6	102 6
Glue and gelatine blenders, and store hands .. .. .	89 0	6 0	7 6	102 6
Men in charge of and actually working at scutching pan, hydraulic press, grease pans, grease filters and seeding tanks and washing trotter bones .. .. .	91 0	6 0	7 6	104 6
Men assisting .. .. .	89 0	6 0	7 6	102 6
Men working on vegetable glue dryers and grinders .. .. .	90 0	6 0	7 6	103 6
Men in charge of and actually working at vegetable and prepared glue vats .. .. .	91 0	6 0	7 6	104 6
Men assisting and store hands including calves feet jelly .. .. .	89 0	6 0	7 6	102 6
Men operating residue dryers .. .. .	91 0	6 0	7 6	104 6
Men crushing and/or bagging dried residues .. .. .	90 0	6 0	7 6	103 6
Men receiving and passing on bones (Melbourne) .. .. .	91 0	6 0	7 6	104 6
Men actually operating degreasing plant .. .. .	93 0	6 0	7 6	106 6
Men assisting at degreasing plant and bone polishing .. .. .	90 0	6 0	7 6	103 6
Men engaged in washing and neutralizing vats (Melbourne) .. .. .	89 0	6 0	7 6	102 6
Men engaged in crushing bone residues .. .. .	90 0	6 0	7 6	103 6
Men in charge of and actually operating pearl plant .. .. .	90 0	6 0	7 6	103 6
Men assisting .. .. .	89 0	6 0	7 6	102 6
Men actually operating dextrine plant .. .. .	91 0	6 0	7 6	104 6
Men assisting .. .. .	89 0	6 0	7 6	102 6
Men actually operating earth calcining plant .. .. .	91 0	6 0	7 6	104 6
Men assisting .. .. .	89 0	6 0	7 6	102 6
Men not elsewhere included .. .. .	83 0	6 0	7 6	96 6

Men employed emptying sewer settling pits shall be paid at the rate of 1s. per hour in addition to their ordinary or overtime rate whilst engaged on such work.

Any person cleaning or scraping inside booby tanks or digesters shall whilst so employed be paid 6d. per hour in addition to his ordinary or overtime rate of pay.

*Wages of Shift Workers.*

Shiftmen on the first or day shift shall be paid at the ordinary time rates therefor.

Shiftmen on the second shift shall be paid therefor 5 per centum in addition to the ordinary time rate. Shiftmen on the third shift shall be paid therefor 7½ per centum in addition to the ordinary time rate.

(b) ADULT FEMALES.

Proportion of Needs Basic Wage and 1937 Loading for Adult Males.	Industry Allowance.	Special Loading 1941.	Total Base Rate.
Per Week. <i>s. d.</i> 48 0	Per Week. <i>s. d.</i> 4 6	Per Week. <i>s. d.</i> 5 0	Per Week. <i>s. d.</i> 57 6

3. Males. JUNIORS. Females.

Age.	Males.				Age.	Females.			
	Adjustable Portion of Wage.	Loading (Constant)	War Loading.	Total to nearest 6d.		Base Rate and Constant Loading.	Industry Loading.	War Loading.	Total to nearest 6d.
	Per Week. <i>s. d.</i>	Per Week. <i>s. d.</i>	Per Week. <i>s. d.</i>	Per Week. <i>s. d.</i>		Per Week. <i>£ s. d.</i>	Per Week. <i>s. d.</i>	Per Week. <i>s. d.</i>	Per Week. <i>s. d.</i>
14 to 15 years	17 0	0 6	1 6	19 0	14 years	1 1 7	2 0	2 2	26 0
15 to 16 "	24 6	0 6	2 2	27 0	15 "	1 4 2	2 3	2 5	29 0
16 to 17 "	32 6	1 0	2 11	36 6	16 "	1 7 0	2 6	2 9	32 6
17 to 18 "	42 0	1 0	3 8	46 6	17 "	1 9 6	2 9	3 1	35 6
18 to 19 "	49 0	1 6	4 5	55 0	18 "	1 12 5	3 0	3 4	39 0
19 to 20 "	57 6	2 0	5 2	64 6	19 "	1 17 4	3 5	3 9	44 6
20 to 21 "	65 0	2 0	5 10	73 0	20 "	2 2 2	3 8	4 1	50 0

(4) FEMALE AND JUNIOR LABOUR.—(a) An employer may employ juniors in any capacity except as hereunder provided that the proportion of juniors to adults employed in any department in the works, except that of laying out and packing gelatine or glue, shall not exceed one to two, and provided that the proportion of juniors to adults employed in the whole works, with the exception of the department of laying out and packing gelatine or glue, does not exceed one to three.

When any boy is engaged he shall, if the employer require it, furnish a certificate or statutory declaration as to his age, and the employer may rely on such certificate or declaration until or unless he has notice of its inaccuracy.

(b) No juniors shall, except where it has been the custom of the employer to so employ them, be employed on any machine.

(c) No junior under the age of eighteen years shall work on night shift, and no female shall be employed on shift work.

(5) CONTRACT OF EMPLOYMENT.—(a) Employees other than casual workers shall be employed by the week. To be entitled to the week's pay a regular day employee must be ready willing and available to work during 44 hours of the week and a shift worker during 43 hours of the week except on days (aggregating four in each year or six in the case of female employees) for which he or she produces proof satisfactory to his or her employer of sickness. In order to terminate employment one week's notice shall be given to terminate on any day with payment to day of determination, or, in lieu of notice one week's pay shall be paid or deducted. Provided however that in the event of a stoppage through breakdown of machinery or any other cause for which the employer cannot be held responsible, the employer may on any day notify any employee that his services shall not be required on the following day or days and the employee's employment shall be temporarily terminated accordingly, and he shall not be entitled to be paid for the time not worked.

Provided further that where under any scheme of insurance or of an accident relief or provident fund to secure the benefit of which the employer has paid the necessary premium or contribution, compensation becomes payable for absences through sickness, the employer shall not be bound to pay more of such wage than is sufficient with such compensation to make up the full amount for any such days.

(b) To meet emergencies any employer may engage a casual employee for a day or more on paying extra wages calculated at the rate of 10 per cent. higher than those prescribed for similar work. Such an employee shall not be paid for a holiday occurring during any week he is employed.

(6) HOURS OF WORK.—(a) The standard hours for the industry shall be for regular day workers 44 per week. To facilitate rostering for shift-workers or temporary shift-workers (as regards the shift work they actually do) the hours shall be 176 per four weeks' period provided that not more than 49 hours may be worked in any week without payment of overtime.

(b) Except as otherwise provided herein not more than 8 hours on Monday to Friday inclusive and not more than 4 hours on Saturday shall be worked at ordinary rates of pay such hours to be worked between 7 a.m. and 6 p.m. on Monday to Friday inclusive and between 6.45 a.m. and 12.30 p.m. on Saturday.

(c) The break for meals shall be at least 45 minutes, or where the employer and the employees agree 42 minutes, to be taken between 11.30 a.m. and 1 p.m.

(d) Starting and finishing times and times for meals shall not be altered except by agreement between the employer and his employees.

(e) The time of commencing and finishing shift and the meal times for shift-workers shall be fixed by agreement between the employer and his employees and in default of agreement by the Secretary for Labour provided that not more than 8 hours 48 minutes shall be worked on any one shift furthermore a shift worker shall be entitled to take his meal during the period of his shift and in the employer's time.

(7) HOLIDAYS.—(a) An employee other than a shift-worker shall be entitled to receive the following holidays, and payment therefor, payment being included in the weekly wage prescribed herein:—Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Saturday and Melbourne Cup Day, Easter Monday, Labour Day, Foundation Day, and Anzac Day, or the holiday, if any, substituted for any such day by or under any State Act of Parliament.

(b) If the engagement of an employee is terminated by his employer within fourteen days of any of the holidays set out in sub-clause (a) hereof the employee shall be paid for such holiday or holidays if and when the employee satisfies the employer that the employee has not in the meantime commenced work with another employer.

(c) Shift-workers shall be entitled to nine days' holiday per annum or nine days' pay in lieu thereof. On termination of service during the currency of any year payment shall be made pro rata.

(d) Where an employee is absent from his employment on the working day or part of the working day before or after a holiday without reasonable excuse or without the employer's consent such employee shall not be entitled to payment for such holiday.

(8) OVERTIME.—(a) Subject to the following and except as to shift-workers all time worked outside ordinary hours as prescribed in clause 6 of this Determination, shall be paid for as overtime at the rate of time and a half for the first two hours and double time thereafter. In computing overtime each day's work shall stand alone.

(b) Except as to shift-workers all work performed on Sunday and the holidays prescribed in clause 7 of this Determination shall be paid for at double rates.

(c) For all time worked outside the hours of commencing and finishing shift as agreed or prescribed under clause 6 of this Determination and for all time worked in excess of 48 hours per week shift-workers shall be paid overtime at the rate of time and a half for the first two hours and double time thereafter. Provided that for all work performed on the first shift on Sunday, whether overtime or not, double rates shall be paid. Notwithstanding anything contained in this sub-clause an employee may be worked one first shift on Sunday in each four weeks without payment of overtime provided that his total hours of work during such four weeks do not exceed 168.

(d) Work performed during meal hours shall be paid for at double time rates.

(e) Any employee required to work overtime for more than two hours on any one day 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 2s.

(f) If any employee pursuant to sub-clause (e) hereof has provided a meal and is not required to work overtime he shall be paid 2s. for the meal so provided.

(g) The following overtime work including such work on Sunday or a holiday as set out in sub-clauses (a), (b), and (c) hereof shall be paid for at the rate of time and a half—

(i) the effecting of repairs or renewals to and the cleaning of plant or machinery in order to enable work to proceed forthwith ;

(ii) such emergency work as owing to the nature of the trade necessitates the immediate as distinct from the normal treatment of material to save it from going bad or its removal after it has gone bad. Any question in dispute hereunder shall be decided by the Secretary for Labour.

(9) **CONSTANT SERVICE LEAVE OR BONUS.**—(a) In addition to the holidays provided for by clause 7 hereof, an employee, whether a shift-worker, time-worker, or piece-worker, who remains in the service of the same employer for at least a year, shall, if the employment has not been terminated, be entitled to one day's leave of absence on full pay for every period of two complete consecutive calendar months comprised in his service in respect of which he has not already received leave or bonus hereunder.

(b) The employer shall have the right to fix the time when such leave will be given, but must fix a time so that the leave then accrued due will be wholly given in one continuous period within fifteen months after the beginning of the period of service in respect of which the leave is due, and if he does not so fix the time or so give the leave he shall, for each day of leave then due, forthwith give the employee two days' leave of absence on full pay.

Provided that the employer may, if he thinks fit, give at any time in advance the period of six or seven days' continuous leave on full pay prospectively due in respect of the six or seven (as the case may be) periods of two months' service comprised within such fifteen months.

Provided, further, that if the leave be given so that the employee is freed from work for the employer throughout the seven days of a week or throughout a period extended to more than such seven days by reason of holidays as provided in sub-clause (c) hereof, the leave comprised within such seven days or within such extended period shall for the purposes of this clause be deemed to be six days' leave.

(c) Where any of the holidays provided for in clause 7 hereof so falls in the week as in the ordinary course to entitle an employee to be paid in respect of that holiday, although he does not work thereon, and that holiday happens to fall within that employee's period of leave of absence, the days in that period shall be reckoned in addition to that holiday.

(d) Any employee who voluntarily leaves or is discharged from his employment after he has been in such employment for at least six complete consecutive calendar months shall be paid a bonus of one day's pay for every period of two complete consecutive calendar months comprised in his service in respect of which he has not already received leave or bonus hereunder, the day's pay to be at the ordinary rate for the class of work usually being done by the employee about the time when he so leaves or is discharged.

Provided that where leave of absence for two days instead of one day should have been given in pursuance of sub-clause (b) hereof and has not been so given, such employee shall be paid a bonus of two days' pay in respect of each day of leave of absence that has not been so given.

(e) If the employee is a piece worker the pay to be given for the period of leave of absence or as a bonus where leave is not given shall be at the rate fixed for a time worker doing the same class of work as that of the employee.

(f) Where the employer is a successor or assignee or transmittee of a business, and if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transmittee, the employee in respect of the period during which he was in the service of the predecessor shall for the purposes of this clause be deemed to have been in the service of the employer.

(g) For the purposes of this clause the service shall be deemed to have continued and to continue unbroken and constant notwithstanding any interruption or determination of the employment by the employer if such interruption or determination has been or be made merely with the intention of avoiding obligation hereunder in respect of leave of absence or bonus.

(h) For the purposes of this clause, calendar months shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question, and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month, and, if there be no such day in such subsequent month, shall be reckoned as ending at the end of such subsequent month.

(10) **MIXED FUNCTIONS.**—Where an employee is engaged on any day on mixed functions or on work carrying a higher rate of pay than his ordinary classification he shall be paid at the higher rate for the time so worked on such higher classification. If the aggregate hours worked by an employee on such higher classification exceed 16 in the week he shall be paid at the higher rate for the week.

(11) **PAYMENT OF WAGES.**—(a) Wages shall be paid at the works weekly not later than Thursday in each week. Not more than two days' pay over and above that becoming due shall be kept in hand.

(b) Wages shall be paid in the employer's time or within five minutes of finishing time. If an employee be kept waiting for payments more than five minutes after finishing time he shall be paid overtime rates for the time so kept waiting.

(c) Should an employee be dismissed during the course of a week he shall be paid at the usual place of payment on demand there by him any wages which are legally due to him, within fifteen minutes of dismissal.

(12) **TOOLS OF TRADE.**—The employer shall provide tools and implements of trade, leggings, aprons (rubber, leather, or cloth where suitable), gloves, respirators, and thigh boots where necessarily required by the employee in the performance of his duties.

(13) **ACCOMMODATION.**—Accommodation shall be provided for employees when changing their clothes and for washing. An adequate supply of drinking water and boiling water shall also be provided.

(14) **SHOP STEWARDS OR UNION REPRESENTATIVE.**—(a) Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom they represent.

(b) The secretary or branch secretary of the union shall be allowed to visit the dining rooms during lunch hour to interview employees.

(15) **POSTING DETERMINATION AND NOTICES.**—The employer shall permit notice boards to be erected in a prominent position in his establishment for the purpose of posting any notices thereon in connexion with the legitimate business of the union. All such notices shall be signed by the branch secretary of the union.

(16) **FIRST-AID OUTFIT.**—The employer shall provide and continuously maintain an efficient first-aid outfit in each factory controlled by him.

(17) **DEFINITIONS.**—"Union" means the Australian Saddlery Leather, Leather, Sail, Canvas, Tanning, Leather Dressing, and Allied Workers Trades Employees Federation.

"Double time rates" or "rate of double time" shall mean, when applicable to ordinary or shift hours of work on a week day, holiday, or Sunday, the ordinary hour rate payable as part of the weekly wage and, in addition, a rate equal to such ordinary hour rate: when applicable to hours worked outside the ordinary or shift hours on the days mentioned or in excess of 48 hours per week or 176 hours per four weeks the terms shall mean twice such ordinary rate.

"Casual worker" means an employee (other than a regular employee) employed by the hour.

"First or day shift" means any shift commencing at 6 a.m. or the first shift commencing thereafter.

"Junior" means a male person under the age of 21 years.

(18) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out for males 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*, 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. The basic wage shall be adjusted as prescribed in clause (19):—

## BASIC WAGE.

Place.	Needs Basic Wage (Adjustable).	Index Number Set Assigned.
Within the area to which this Determination applies .. ..	Per Week. £ s. d. 4 3 0	Melbourne

(19) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in May, 1941, the amount of the basic wage shall be as prescribed in clause (18).

(b) For work done during each future period of or near a quarter beginning with the first pay period to commence in a May, an August, a November, or a February, the amount 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 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 1,000 with a wage of 81s.

(ii) The index number set to be applied to a place is that assigned thereto in clause (18).

(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 period of or near a quarter.

TABLE.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
735-746 .. .. .	3 0 0	908-919 .. .. .	3 14 0
747-759 .. .. .	3 1 0	920-932 .. .. .	3 15 0
760-771 .. .. .	3 2 0	933-944 .. .. .	3 16 0
772-783 .. .. .	3 3 0	945-956 .. .. .	3 17 0
784-796 .. .. .	3 4 0	957-969 .. .. .	3 18 0
797-808 .. .. .	3 5 0	970-981 .. .. .	3 19 0
809-820 .. .. .	3 6 0	982-993 .. .. .	4 0 0
821-833 .. .. .	3 7 0	994-1006 .. .. .	4 1 0
834-845 .. .. .	3 8 0	1007-1018 .. .. .	4 2 0
846-858 .. .. .	3 9 0	1019-1030 .. .. .	4 3 0
859-870 .. .. .	3 10 0	1031-1043 .. .. .	4 4 0
871-882 .. .. .	3 11 0	1044-1055 .. .. .	4 5 0
883-895 .. .. .	3 12 0	1056-1067 .. .. .	4 6 0
896-907 .. .. .	3 13 0		

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

(c) The amounts of the weekly rates for adult females are fixed upon 54 per cent. of the needs basic wage and loading (constant—1937) for adult males. Whenever pursuant to sub-clause (b) of clause 18 of this Determination any adjustment in that needs basic wage occurs the weekly rates for adult females shall be similarly adjusted by adding thereto or deducting therefrom (as the case may require) half the amount of the adjustment occurring in the needs basic wage for adult males.

(d) The amounts of the weekly rates for juniors are fixed upon a needs basic wage (the average of the basic wage for Sydney and Melbourne). The said rates, whenever any change takes place in the said average pursuant to adjustment under sub-clause (b) of clause 18 of this Determination, shall be adjusted proportionately to the change in the said average as compared with the adjustable portion of the wage for juniors, the result to be calculated to the nearest 6d. and (as the case may require) added to or deducted from the total wage of juniors of the respective classes.

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

E. LAITY, Acting Secretary.

Melbourne, 26th March, 1942.