



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 222]

FRIDAY, NOVEMBER 19.

[1943

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 15 (GROCERS).

NOTE.—This Determination applies to the following parts of Victoria, viz.:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the city of Sandringham as are not included in the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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 business of a grocer, including a seller of tea," has made the following Determination, namely:—

1. That as from the first pay period to commence on or after the 11th November, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.		Other Employees.	Wages.			Per Week of—
			Within the Cities of Ballarat and Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	Within the Cities of Geelong, Geelong West, and Warrnambool, and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.	
Apprentices or Improvers.			s. d.	s. d.	s. d.	Hours.
<p>WAGES. Per Week of 46 Hours.</p> <p>Under 15 years of age .. 23 0</p> <p>15 years of age .. 31 0</p> <p>16 years of age .. 41 3</p> <p>17 years of age .. 51 3</p> <p>18 years of age .. 62 3</p> <p>19 years of age .. 79 6</p> <p>20 years of age .. 87 3</p> <p>Provided that any apprentice or improver without previous experience entering the trade at 16, 17, or 18 years of age may be paid for his first and second years' service 20 per cent. less than the rates fixed above.</p> <p>The Board has prescribed a form of indenture which must be used.</p> <p>PROPORTION (in any shop or place).</p> <p><i>Apprentices.</i></p> <p>One apprentice to every three or fraction of three workers receiving not less than 103s. 6d. per week of 46 hours.</p> <p><i>Improvers.</i></p> <p>One improver to every three workers receiving not less than the rates fixed in this Determination for grocers' assistants 23 years of age or over.</p> <p>"Worker" includes an owner or partner acting as working manager.</p>		<p>Manager, i.e., the principal employee in any shop, except a shop in which an owner or partner is working manager ..</p> <p>Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits ..</p> <p>Canvasser, i.e., an employee soliciting or collecting orders ..</p> <p>Driver of motor vehicle with a carrying capacity of not more than 25 cwt. ..</p> <p>Driver of motor vehicle with a carrying capacity of over 25 cwt. ..</p> <p>Driver of three or more horses ..</p> <p>Driver of two horses ..</p> <p>Driver of one horse ..</p> <p>Stableman ..</p> <p>All others—</p> <p>21 years of age ..</p> <p>22 years of age ..</p> <p>23 years of age or over ..</p>	<p>131 9</p> <p>123 6</p> <p>109 0</p> <p>104 0</p> <p>106 9</p> <p>109 0</p> <p>106 9</p> <p>104 0</p> <p>101 6</p> <p>103 6</p> <p>104 3</p> <p>109 0</p>	<p>133 9</p> <p>125 6</p> <p>111 0</p> <p>106 0</p> <p>108 9</p> <p>111 0</p> <p>108 9</p> <p>106 0</p> <p>103 6</p> <p>103 6</p> <p>106 3</p> <p>111 0</p>	<p>137 9</p> <p>129 6</p> <p>115 0</p> <p>110 0</p> <p>112 9</p> <p>115 0</p> <p>112 9</p> <p>110 0</p> <p>107 6</p> <p>103 6</p> <p>110 3</p> <p>115 0</p>	<p>46</p> <p>46</p> <p>46</p> <p>46*</p> <p>46*</p> <p>46*</p> <p>46*</p> <p>46</p> <p>46</p> <p>46</p> <p>46</p> <p>46</p> <p>46</p>

* Including time occupied in attending to horses or motor vehicles.

3. TIMES OF BEGINNING AND ENDING WORK.

	Drivers.		All others except Stablenen.	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
On Saturday	8.15 a.m.	12.45 p.m.	8.25 a.m.	12.45 p.m.
On Friday or on the night previous to a public holiday ..	8.30 a.m.	7 p.m.	8.40 a.m.	6 p.m.
On the other working days of the week	8.30 a.m.	6.30 p.m.	8.40 a.m.	6 p.m.

4. OVERTIME.

The following rate shall be paid for overtime :—

Stablenen—

For all work done in excess of 46 hours in any one week

All others—

Outside the hours fixed in Clause 3

Within the hours fixed in Clause 3 in excess of the number of hours fixed for an ordinary week's work } Time and a half.

5. ORDINARY WEEK'S WORK.

The number of hours which shall constitute an ordinary week's work shall be as follow :—

Stablenen	46 hours.
All others	46 hours.

6. TIME WAGES.

Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for each hour worked up to 23 hours, as follows :—

(a) in any week in which two or more public holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) in any other week At the ordinary wages rate, with an addition of thirty-three and one-third per centum.

For time worked beyond the 23 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

7. ALLOWANCES.

(a) Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering of which is not paid for by the employer, such employee shall be paid 2s. 6d. per week in addition to the ordinary rate.

(b) Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance at the rate of 2s. 0d. per week.

8. TERMINATION OF EMPLOYMENT.

Except in a case where an employee has been guilty of a misdemeanor, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

9. MEAL INTERVAL.

A meal interval of at least one hour shall be allowed between the hours of 12 noon and 2 p.m. daily.

10. SPECIAL RATES.

Time and a half shall be the special rate payable for all work done on Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act 1928*, as are within the area to which this Determination applies), and double time the special rate payable for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day or Boxing Day; but, if any other day be substituted by Act of Parliament or Proclamation for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted.

11. MEAL MONEY.

For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 1s. 6d. meal money in addition to the prescribed overtime rate.

12. ANNUAL HOLIDAYS.

(i) Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of the holidays mentioned in Clause 10) in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Seven days' notice shall be given by the employer to the employee before the latter commences his week's holiday aforesaid.

(ii) Subject to the provisions of the preceding sub-clause, any employee who has been for not less than six months but less than twelve months in an employer's service, and whose engagement is terminated, shall receive one half-day's holiday payment for each month spent in such employer's service.

13. REFERENCES.

Every employee, on the termination of his engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

14. RENT OF RESIDENCE.

The employer shall not charge any manager or assistant who is required to reside on the premises in connexion with the shop in which the business of such employer is carried on, a greater sum as rent for such premises than 10s. 0d. per week.

15. SICK PAY.

(a) Any employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than twelve months' service with the same employer, and he or she produces or forwards within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than four days in each year.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall be cumulative from year to year up to a period not exceeding 12 days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

16. PAY DAY.

Payment of wages, including overtime, meal money, special rates, and allowances shall be made not later than Thursday of each week.

17. TIME AND WAGES RECORD.

The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Grocers' Association of Victoria.

18. PAYMENT OF FARES.

Where an employee is required by his employer to work at a shop or branch other than that at which he is ordinarily employed, he shall be paid the additional fares, if any, incurred by him in so doing. Provided that this clause shall not apply to any employee who is transferred to another store or branch for a period of not less than one week.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 16th November, 1943.



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

No. 223]

FRIDAY, NOVEMBER 19.

[1943

Factories and Shop Acts.

DETERMINATION OF THE BISCUIT BOARD.

NOTES:—(a) 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 portions of the city of Sandringham as are not included in the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

(b) On the 21st June, 1913, the powers of the Biscuit Board were extended to enable it to "determine the lowest prices or rates which may be paid to any person employed as storeman, packer, or sorter in connexion with the trade or business of making biscuits."

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 making biscuits," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in November, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.			Other Employees.		
WAGES PER WEEK OF 44 HOURS.			WAGES.		
	Male Apprentices or Improvers.	Female Apprentices or Improvers.			Per week of 44 hours. s. d.
Under 16 years of age	28 3	32 9	Bakers (including Wafer Bakers and Branette Bakers)	.. .. .	113 0
16 years of age	35 0	32 9	Brakesman .. .. .	.. .. .	109 6
17	48 6	36 3	Machine Attendant .. .. .	.. .. .	107 0
18	55 6	42 6	Men carrying and stacking flour .. .. .	.. .. .	115 0
19	65 3	46 3	Mixers (including Wafer Mixers and Sugar Cream Mixers) .. .. .	.. .. .	113 0
20	73 9	50 3	Oven firemen .. .. .	.. .. .	112 0
Apprentices or improvers engaged attending gas ovens during the baking of wafers and branettes shall be paid 5s. per week in addition to above rates.			Adult males operating "Enrobs" chocolate dipping machine .. .. .	.. .. .	106 0
			Despatch hands .. .. .	.. .. .	106 0
PROPORTION (IN ANY PLACE). <i>Apprentices.</i> MALES. One male apprentice to every three or fraction of three male workers receiving not less than 103s. per week of 44 hours FEMALES. One female apprentice to every three or fraction of three female workers receiving not less than 59s. 6d. per week of 44 hours. <i>Improvers.</i> MALES. Two male improvers to every male worker receiving not less than 103s. per week of 44 hours. FEMALES. Four female improvers to every female worker receiving not less than 59s. 6d. per week of 44 hours.			All other males .. .. .	.. .. .	102 0
			All other females .. .. .	.. .. .	59 6

TERMS OF ENGAGEMENT.

3. Employees who work less than 44 hours in any week may be paid *pro rata* according to the number of hours worked.

OVERTIME.

4.—

- (a) Places in which the week's work is performed in 5½ days—
 Time worked in excess of 8 hours on any one day, Monday to Friday (inclusive) .. Time and a half.
 Time worked in excess of 4 hours on Saturday .. Time and a half.
 (b) Places in which the week's work is performed in 5 days—
 Time worked in excess of 8 hours 48 minutes on any one day, Monday to Friday (inclusive) Time and a half.
 (c) Any time worked in excess of 44 hours in any week .. Time and a half.

TEA MONEY.

5. An allowance of 1s. 6d. for tea money shall be paid to all employees when work extends for more than two hours beyond the usual time of ending work.

ALLOWANCES.

6. Employees who are required to wear, when at work, overalls, the laundering of which is not paid for by the employer, shall be paid the following allowance in addition to their ordinary weekly wage:—

Males aged 19 years and over	2s. per week extra.
Males under 19 years	1s. 6d. per week extra.
All females	2s. per week extra.

TIME BOOK OR OTHER RECORD.

7. The correct times of beginning and ending work shall be recorded daily in a book, time card, or by mechanical means to be furnished by the employer; such record to be open for inspection by the permanent Secretary-Treasurer of the Victorian Branch of the Biscuit Makers' Union of Australia.

MEAL TIME.

8. A meal period of not less than 30 minutes and not more than one hour shall be allowed after a period of five hours' continuous work. Such meal period shall not be calculated as time worked.

NIGHT WORK.

9.—

- (i) All employees working on night work between the hours of 9 p.m. and 6.30 a.m. shall receive the rate of 5s. per night additional to the usual wage rate: Provided that when the employee works for less than half of the normal shift such payment in addition to the usual wage shall be 2s. 6d.
 (ii) No female of any age shall be employed between the hours of 9 p.m. and 6.30 a.m.

SHIFT WORK.

10. Each employee engaged on shift work shall have a break of 10 hours between shifts.

SUNDAY WORK.

11. For all work done on Sunday, double time shall be paid with a minimum of 10s.

PAYMENT FOR HOLIDAYS.

12. Employees shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day (26th January), Union Picnic Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; or any other day substituted for the above days by Act of Parliament or Proclamation.

Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

ANNUAL LEAVE.

13. Employers shall in each year give their employees continuously employed as defined, a holiday from and after the day observed as Boxing Day to the 31st December inclusive and shall pay wages for ordinary working days included in that period. Pieceworkers receiving such holidays shall be paid timework rates.

Employees entitled to such holiday and required to work during that period shall be given a week's holiday on full pay at some other time during the year or if dismissed from employment before receiving such holiday shall be paid an extra week's wages on dismissal.

"Continuously employed" for the purpose of this clause means employed (breaks arising from slackening of work being reckoned as being employed) for the six months immediately preceding the 25th day of each December. Any employee dismissed during the three weeks immediately preceding the 25th day of December shall be entitled to payment of one week's wages for such annual holiday.

SICK PAY.

14.—

- (i) Any employee not attending for duty shall lose his or her pay for the actual time lost unless he or she produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to accident arising in the course of his or her employment or to personal ill-health, but such employee shall not be entitled to payment for non-attendance on the ground of such accident or personal ill-health for more than four days in any one year: Provided that during the first year of service with an employer he or she shall not be entitled to more than one day's sick pay for the first three months; two days' sick pay for the first six months; three days' sick pay for the first nine months. For the purposes of this clause "year" shall mean a period of twelve months commencing on 27th day of May in each year.
 (ii) Any employee on piecework not attending for duty on the ground of personal ill-health shall be paid at the corresponding timeworker's wage for the period of ill-health in all respects as if, during such period, he or she had been a weekly timeworker employed on such days and during such hours as are usually worked by timeworkers upon any day shift, and he or she shall comply with and be subject to the conditions for timeworkers prescribed in paragraph (i) of this clause.

REST PERIOD.

15. Female employees shall be allowed a period of ten minutes in the morning and ten minutes in the afternoon at a time to be mutually arranged between the employer and the Secretary-Treasurer of the Biscuit Maker's Union, such time to count as time worked. Reasonable facilities shall be provided by the employer for female employees to make tea during such interval if they so desire; provided that:—

- (i) Such period shall not be allowed within one hour of commencing or finishing work for the day or one hour before or after a meal break; and
 (ii) Employees shall conform to such arrangement as the employer may make to ensure the continuity of operations.

PIECEWORK.

16. The Board determines, under the provisions of section 150 of the *Factories and Shops Act 1928*, that any employer may fix and pay piecework prices to any person or persons or classes of persons employed at any work for which the Board has fixed the minimum wage, provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages that are fixed by the Board for such work.

AUTHORIZED PERSON MAY ENTER FACTORY.

17. The permanent Secretary-Treasurer of the Biscuit Makers' Union of Australia, Victorian Branch, shall have the right to enter and inspect, during working hours, any part of a biscuit factory or workshop in which any work is being carried on. The Secretary-Treasurer of the Biscuit Makers' Union shall have the right to interview employees in regard to conditions of employment.

PERIODICAL ADJUSTMENT OF WAGES.

18. The wages rates for males set out in clause 2 are based upon 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 adult females, apprentices, and improvers, shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause 19.

Basic Wage.

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies ..	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 4 18 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

19. (a) Until the beginning of the first pay period to commence in February, 1944, the amount of the basic wage shall be as prescribed in clause 18.

(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 is that assigned to Melbourne.
- (2) 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.
- (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.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
994-1006	4 1 0	1118-1129	4 11 0
1007-1018	4 2 0	1130-1141	4 12 0
1019-1030	4 3 0	1142-1154	4 13 0
1031-1043	4 4 0	1155-1166	4 14 0
1044-1055	4 5 0	1167-1179	4 15 0
1056-1067	4 6 0	1180-1191	4 16 0
1068-1080	4 7 0	1192-1203	4 17 0
1081-1092	4 8 0	1204-1216	4 18 0
1093-1104	4 9 0	1217-1228	4 19 0
1105-1117	4 10 0	1229-1240	5 0 0

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

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 15th November, 1943.

