VICTORIA

GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE ICE CREAM BOARD.

NOTE.—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 employed in the trade of making edible ices, ice cream, or any frozen articles of which ice cream is the principal ingredient," has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 6th June, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. ORDINARY WORKERS.

APPRENTICES AND IMPROVERS.

Wages per Week of 44 Hours.

Males.

	Ordinary Wage.	War Loading. (Not Adjustable.)	Total Wage.
		Apprentices.	
	s. d.	s. d.	s. d.
Under 16 years of age ..	22 6	1 0	23 6
16–17 years of age	31 6	1 6	33 0
17–18 years of age	36 6	1 6	38 0
18–19 years of age	47 0	2 0	49 0
19–20 years of age	65 6	3 0	68 6
20–21 years of age	78 0	3 6	81 6
		Improvers.	
Under 16 years of age ..	36 0	1 6	37 6
16–17 years of age	43 0	2 0	45 0
17–18 years of age	49 6	2 6	52 0
18–19 years of age	60 6	3 0	63 6
19–20 years of age	78 0	3 6	81 6
20–21 years of age	92 0	4 6	96 6

PROPORTION.

One male apprentice and one male improver to every three or fraction of three male workers receiving not less than 109s. per week of 44 hours.

JUVENILE WORKERS.

Wages per Week of 44 Hours.

Males.

	Ordinary Wage.	War Loading. (Not Adjustable.)	Total Wage.
	s. d.	s. d.	s. d.
Under 16 years of age ..	36 0	1 6	37 6
16–17 years of age	43 0	2 0	45 0
17–18 years of age	49 6	2 6	52 0
Females.			
Under 16 years of age ..	36 6	1 6	38 0
16–17 years of age	41 6	1 6	43 0
17–18 years of age	43 6	2 0	45 6
18–19 years of age	49 6	2 0	51 6
19–20 years of age	53 0	2 0	55 0
20–21 years of age	58 6	2 6	61 0

PROPORTION.

Three female juvenile workers to every two female workers receiving 73s. 6d. per week of 44 hours.

ADULT EMPLOYEES.

Wages per Week of 44 hours.

Males.

	Ordinary Wage.	War Loading. (Not Adjustable.)	Total Wage.
	s. d.	s. d.	s. d.
Pasteurizer .. .. .. } Machine operator	114 0	5 0	119 0
Mixer .. .. .. } Machine operator			
Cooling, or .. .. .. } Machine operator			
Freezer .. .. } Machine operator			
Assistant to any of the above-mentioned operators	107 0	5 0	112 0
Dixie .. .. } Machine operator	108 6	5 0	113 6
Cup, or .. .. } Machine operator			
Chocolate bar .. .. .. } Machine operator			
Mould cutter, by machine	108 6	5 0	113 6
Mould cutter, by hand	112 0	5 0	117 0
Can washer, floor hand, or person handling crushed ice	107 0	5 0	112 0
All others	104 0	5 0	109 0
Females.			
All adults	70 6	3 0	73 6

SHIFT WORKERS.

3. Shift workers shall receive the wages prescribed in clause 2 for ordinary workers according to the class of work done plus an additional 2s. per shift.

EMPLOYEES IN FREEZING CHAMBER.

4. (*a*) Notwithstanding the rates provided in clauses 2 and 3 any employee who is required to work in a freezing chamber, the temperature of which does not exceed 40° F., for an aggregate of time exceeding two hours on any day, shall be paid for all work (whether inside or outside the chamber) done on such day at the rate of 3s. 1½d. per hour. If employed under such conditions for less than an aggregate of two hours on any day he shall receive 3s. 1½d. per hour whilst so employed.

(*b*) An employee required to work in a temperature less than 4° F., shall receive 3d. per hour or part of an hour in addition to the rate provided in sub-clause (*a*) hereof.

(*c*) The total time worked by any employee in a chamber mentioned in sub-clause (*a*) hereof shall not exceed an aggregate of four hours in any shift and an employee shall not be employed in such a chamber for a continuous period of not more than two hours without being allowed a rest period of fifteen minutes outside such chamber.

(*d*) An employer shall provide free of charge for the use of each employee required to work in temperatures below 4° F., a blanket suit, helmet and gloves.

DEFINITIONS.

5. (*a*) A juvenile worker is any person under 21 years of age (other than an apprentice or improver) employed stirring melted chocolate; picking out defective goods; stacking or counting articles not over 4 oz. in weight; moving goods for packing; counting, wrapping or sealing up to six dozen containers; filling ice cream cups or similar vessels; chocolate dipping; or wrapping any article intended for consumption.

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

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

HOURS OF EMPLOYMENT.

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

OVERTIME.

7. Time and a half, based on the total wage shown for each class of employee in clause 2, shall be paid for all work done—

(i) By shift workers—

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

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

(ii) By ordinary workers—

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

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

SPECIAL RATES.

8. (*a*) Double time (with a minimum of four hours' work or payment for same) shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day: but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

(*b*) Any employee who works part of a holiday or a Sunday shall be paid the ordinary rate for the remainder of the day.

TIME WAGES.

9. Any person ready, available, and willing to work, employed on time wages for less than the number of hours of an ordinary week's work shall for each hour worked up to one-half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of thirty-three per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

NOTICE OF INTENTION TO WORK OVERTIME.

10. In every case where practicable an employer shall give 24 hours' notice to each employee of his intention to work such employee overtime. In each case where such notice has not been given and the employee is required to work overtime for not less than one hour he shall receive two shillings as tea money, in addition to any other special payments provided.

MEAL ALLOWANCE.

11. When an employee has provided himself with a customary meal because of receipt of notice of intention to work overtime, he shall be entitled to payment of 2s. for each meal so provided in the event of the work not being done or ceasing before such meal time.

PROVISION OF CLOTHING.

12. Overalls shall be provided and maintained by the employer; and employees when engaged in de-frosting shall be provided with rubber capes and rubber boots.

CONTINUITY OF WORK.

13. The work of each day shall be continuous with the customary break of not more than one hour for a meal.

TIME BOOK AND WAGE RECORD.

14. Every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance, which shall be furnished by the employer. In addition to such time record every employee shall be required by the employer to sign each week a wage book or other record showing the total amount received as wages for such week.

UNION INSPECTION.

15. An accredited representative of the Federated Cold Storage and Meat Preserving Employees' Union of Australia shall have access to the records of times recorded by employees and wages paid, provided that such inspection is made between the hours of 8 a.m. and 4.30 p.m. on a working day.

SPECIAL CONDITIONS.

16. Regarding work in the chambers—

(*a*) No person under the age of nineteen years shall be required to work in a chamber.

(*b*) Chamber hands shall be supplied with suitable gloves by the employer.

PROHIBITION OF NIGHT WORK FOR FEMALES.

17. No female employee shall be employed between the hours of 9 p.m. on one day and 6 a.m. on the following day.

ANNUAL HOLIDAYS.

18. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act* 1946—No. 5111.

SICK LEAVE.

19. (*a*) Any employee who has been in the employment of the same employer for a period of not less than three months and who does not attend for duty shall lose his pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his 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 ground of personal ill-health or accident for more than 44 hours of working time in each year or a proportionate less time during any shorter period of employment.

(*b*) Notwithstanding the provisions of sub-clause (*a*) hereof, if the full period of sick leave as prescribed 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 88 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

For the purpose of this sub-clause service prior to 5th June, 1946, shall be disregarded.

TERMINATION OF EMPLOYMENT.

20. (*a*) Notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of an employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct (in which case wages shall be paid up to the time of dismissal only), or to deduct payment for any day the employee cannot usefully be employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

(*b*) In lieu of such 44 working hours' notice, except in circumstances referred to in sub-clause (*a*) hereof the employer may pay 44 hours' wages and vice versa, the employee leaving his or her employment without giving prior notice as prescribed shall forfeit 44 hours' wages which may be deducted from any wages due.

REST PERIOD.

21. An interval of ten minutes each morning and afternoon at a time mutually arranged shall be given as a rest period to all employees and shall be counted as time worked.

PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rates for adult employees 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 wage of any adult female, and of apprentices, improvers and juvenile workers 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. Provided further that the hourly rate mentioned in clause 4 shall be increased or decreased by one farthing for every increase or decrease of one shilling of the basic wage.

The basic wage shown hereunder shall be adjusted as prescribed in clause 23.

Basic Wage.

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

ADJUSTMENT OF BASIC WAGE.

23. (*a*) Until the beginning of the first pay period to commence in August, 1946, the amount of the basic wage shall be as prescribed in clause 22.

(*b*) During each future period of or near a quarter beginning with the first pay period to commence in an August, a November, a February, or a May, 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 thereto in clause 22.

(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) of 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. RANDLES, J.P., Chairman.

J. R. MACPHERSON, Acting Secretary.

Melbourne, 5th June, 1946.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.