



VICTORIA GOVERNMENT GAZETTE.

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No. 123]

FRIDAY, MARCH 26. .

[1954

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 Orders in Council thereunder, the cities of Ballarat, Bendigo, Geelong, Geelong West, Warrambool and 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 wheresoever employed in the business of a grocer, including a seller of tea," has made the following Determination, namely:—

1. That as from the 14th December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

| | | | Wages per Week of 40 Hours.* | |
|---|---------------------------|-----------------------|--|--|
| | | | Within the Metropolitan District. | Outside the Metropolitan District Wherever this Determination Applies. |
| WAGES. | Percentage of Basic Wage. | Per Week of 40 Hours. | s. d. | s. d. |
| | | s. d. | | |
| Under 15 years of age | 27 | 64 0 | | |
| 15 years of age.. | 35 | 83 0 | | |
| 16 years of age.. | 48 | 114 0 | | |
| 17 years of age.. | 59 | 140 0 | | |
| 18 years of age.. | 73 | 173 0 | | |
| 19 years of age.. | 92 | 218 0 | | |
| 20 years of age.. | 100+1/6 | 238 6 | | |
| 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. | | | | |
| The Board has prescribed a form of indenture which must be used. | | | | |
| PROPORTION (in any shop or place). | | | | |
| <i>Apprentices.</i> | | | | |
| One apprentice to every three or fraction of three workers receiving not less than 267s. per week of 40 hours. | | | | |
| <i>Improvers.</i> | | | | |
| One improver to every three workers receiving not less than 267s. per week of 40 hours. | | | | |
| "Worker" includes an owner or partner acting as working manager. | | | | |
| | | | (a) Manager, i.e., the principal employee in any shop, except a shop in which an owner or partner is working manager | 305 0 |
| | | | (b) Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits | 285 6 |
| | | | (c) Canvasser, i.e., an employee soliciting or collecting orders | 270 0 |
| | | | (d) Driver of motor vehicle with a carrying capacity of not more than 25 cwt. | 264 9 |
| | | | (e) Driver of motor vehicle with a carrying capacity of over 25 cwt. | 267 6 |
| | | | (f) Driver of three or more horses | 270 0 |
| | | | (g) Driver of two horses | 267 6 |
| | | | (h) Driver of one horse | 264 9 |
| | | | (i) Stableman | 262 0 |
| | | | (j) All others | 270 0 |

* The ordinary hours of employees classified as (d), (e), (f), (g), and (h) include time occupied in attending to horses or motor vehicles.

3. **TIMES OF BEGINNING AND ENDING WORK.**

| | Drivers, Stablenen and Employees not making Direct Sales to the Public. | | All Others. | |
|---|---|-----------------|--------------------|-----------------|
| | Time of Beginning. | Time of Ending. | Time of Beginning. | Time of Ending. |
| On Saturday | 8 a.m. | noon | 9.5 a.m. | noon |
| On the other working days of the week | 8 a.m. | 5.30 p.m. | 9.5 a.m. | 5.30 p.m. |

OVERTIME.

4. The following rate shall be paid for overtime :—

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.

ORDINARY WEEK'S WORK.

5. The number of hours which shall constitute an ordinary week's work shall be 40.

TIME WAGES.

6. 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 20 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 20 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.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing sick leave under this Determination.

ALLOWANCES.

7. (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 7s. 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 of one shilling for each day or part thereof upon which he is so required to use such bicycle.

TERMINATION OF EMPLOYMENT.

8. Except in a case where an employee has been guilty of misconduct, 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. This clause shall not apply where the period of service is three weeks or less.

MEAL INTERVAL.

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

SUNDAYS AND HOLIDAYS.

10. Treble time shall be the special rate payable for all work done on Easter Saturday (i.e., the Saturday immediately succeeding Good Friday), and double time for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day and within the Metropolitan District, Melbourne Show Day and Melbourne Cup Day, but, if any other day be substituted by Act of Parliament or Proclamation for any of the above-named holidays, the special rate shall be payable for work done on the day so substituted.

All employees shall be entitled to the above-named holidays without deduction of pay.

10A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 10 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

MEAL MONEY.

11. For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 5s. meal money in addition to the prescribed overtime rate.

ANNUAL LEAVE.

12. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* (No. 5111) and any amendments which may be made thereto from time to time.

REFERENCES.

13. 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.

RENT OF RESIDENCE.

14. 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. per week.

SICK LEAVE.

15. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows :—

- (i) During the first year—3½ hours' ordinary pay for each complete month of service ;
- (ii) During any subsequent year of service—40 hours' ordinary pay.

Provided that in either case such employee produces or forwards within 48 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.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded. No employer shall terminate the services of an employee with the object of ending his obligations under this sub-clause.

PAY DAY.

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

TIME AND WAGES RECORD.

17. 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.

PAYMENT OF FARES.

18. 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.

REST PERIOD.

19. A rest interval of ten minutes shall be given to all employees during each morning and afternoon (Monday to Friday inclusive), and shall be counted as time worked.

FIRST-AID OUTFIT.

20. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

21. 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*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such Basic Wage as prescribed by clause 22.

Basic Wage.

| Place. | Basic Wage (Adjustable). | Index Number Set Assigned. |
|---|-----------------------------|-------------------------------|
| | Per Week. £ s. d. | |
| Within the area to which this Determination applies | 11 17 0 | Melbourne. |

ADJUSTMENT OF BASIC WAGE.

22. (a) 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.

(b) Until the beginning of the first pay period to commence in February, 1954, the amount of the basic wage shall be as prescribed in clause 21.

(c) 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, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

(d) The wages of apprentices or improvers shall be the appropriate percentages as set out in Clause 2. Such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 14th December, 1953.

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

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15. The fifteenth part of the document is a list of names and addresses of the members of the committee.



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No. 124]

FRIDAY, MARCH 26.

[1954

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 8 (DAIRY PRODUCE AND COOKED MEAT).

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the *Factories and Shops Act 1928* (No. 3677) and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, Warrnambool, and 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 persons employed in the trade of a seller of Dairy Produce or Cooked Meat," has made the following Determination, namely:—

1. That as from the 11th December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES PER WEEK OF 40 HOURS.

| Apprentices or Improvers. | | | Other Employees. | | | | | | | | | |
|--|-----------|-----|--|--------------------------------|----|--------|--|---|-----|----|-----|---|
| Males. | | | Females. | | | Males. | Within the Metropolitan District as defined in the <i>Factories and Shops Act 1928</i> (No. 3677). | All other parts of Victoria where this Determination applies. | | | | |
| Per-centage of Basic Wage. | s. | d. | Per-centage of Female Basic Wage. | s. | d. | | | | s. | d. | | |
| Under 15 years of age . . . | 26 | 61 | 6 | 15 years of age or under . . . | 41 | 73 | 0 | Manager (i.e., the principal employee in any shop except a shop in which an owner or partner is working manager) | 281 | 6 | 277 | 0 |
| 15 years of age . . . | 35 | 83 | 0 | 16 years of age . . . | 49 | 87 | 0 | * Travelling salesman . . . | 265 | 6 | 261 | 6 |
| 16 years of age . . . | 48 | 114 | 0 | 17 years of age . . . | 60 | 106 | 6 | All others . . . | 265 | 6 | 261 | 6 |
| 17 years of age . . . | 63 | 149 | 6 | 18 years of age . . . | 78 | 138 | 6 | | | | | |
| 18 years of age . . . | 79 | 187 | 0 | 19 years of age . . . | 86 | 152 | 6 | Females. | | | | |
| 19 years of age . . . | 90 | 213 | 6 | 20 years of age . . . | 94 | 167 | 0 | Managers (i.e., principal employee in any shop where females only are employed, except a shop in which an owner or partner is working manager)— | | | | |
| 20 years of age . . . | 100 + 4s. | 241 | 0 | | | | | In charge of three or more assistants . . . | 222 | 0 | 218 | 3 |
| | | | | | | | | In charge of less than three assistants . . . | 210 | 9 | 207 | 3 |
| | | | | | | | | All others . . . | 191 | 6 | 188 | 9 |
| PROPORTION (in any shop or place). | | | PROPORTION (in any shop or place). | | | | | | | | | |
| <i>Apprentices.</i> | | | <i>Apprentices.</i> | | | | | | | | | |
| One apprentice to every three or fraction of three male workers receiving not less than the minimum wage. | | | One apprentice to every three or fraction of three female workers receiving not less than the minimum wage. | | | | | | | | | |
| <i>Improvers.</i> | | | <i>Improvers.</i> | | | | | | | | | |
| One improver to first two or fraction of two, two to three; and thereafter one improver to every additional two male workers receiving not less than the minimum wage. | | | One improver to first three or fraction of three, two to four; and thereafter one to every additional three female workers receiving not less than the minimum wage. | | | | | | | | | |

* The hours of a Travelling salesman include time occupied in attending to horses or motor vehicles.

NOTE.—Section 109 of the "Factories and Shops Act 1928" (No. 3677) provides that a shopkeeper 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 shopkeeper is carried on a greater sum as rent for such premises than ten shillings per week.

Section 176 of the *Factories and Shops Act 1928* (No. 3677) provides that, where the provisions of a Determination of a Wages Board apply, a true copy of such Determination shall be posted in some conspicuous place in such a position as to be easily read by the persons employed therein. Penalty not exceeding £10.

Section 174 of the *Factories and Shops Act 1928* (No. 3677) provides that where any person is employed to perform two or more classes of work to which a rate fixed by a wages board is applicable then such person shall be paid in respect of the time occupied in each class of work at the rate fixed by the Board for such work.

TIMES OF BEGINNING AND ENDING WORK.

| | Time of Beginning. | Time of Ending. |
|--|--------------------|-----------------|
| 3. On Mondays to Fridays (inclusive) | 9.5 a.m. | 5.30 p.m. |
| On Saturdays | 9.5 a.m. | Noon. |

OVERTIME.

4. All time worked—

- (a) in excess of the number of hours fixed as a week's work,
 (b) outside the times of beginning and ending work,

shall be paid for at the rate of time and a half.

TIME RATE.

5. Any person 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 in this Determination for an ordinary week's work be paid at the ordinary wages rate with an addition of thirty-three and one-third 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.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

TERMINATION OF EMPLOYMENT.

6. Except where the conduct of an employee justifies instant dismissal, or the period of continuous employment is one month or less, one week's notice of termination of employment shall be given on a Monday by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof.

ALLOWANCE.

7. Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering and purchase of which are not paid for by the employer, such employee shall be paid 7s. 6d. per week. Where the employer provides or supplies on loan such garment, the laundering of which is the responsibility of the employee the weekly allowance shall be 4s. 6d. in the case of a male and 4s. in the case of a female.

SUNDAYS AND HOLIDAYS.

8. Treble time shall be the rate for all work done on Easter Saturday, and double time for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day, and within the Metropolitan District Melbourne Show Day and Melbourne Cup Day. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the rate shall be payable for work done only on the day so substituted.

All employees shall be entitled to the above-named holidays without deduction of pay.

8A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 8 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

ANNUAL LEAVE.

9. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* (No. 5111) and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act, which may be purchased from the Government Printer, Melbourne, at a cost of 1s., plus postage.)

PAYMENT OF WAGES.

10. Payment of wages, including overtime, tea money, special rates, &c., shall be made not later than Thursday of each week, and during working hours.

MEAL INTERVALS.

11. All employees shall be allowed not less than one hour for a meal interval which must be taken between the hours of noon and 2 p.m., and not more than five hours shall be worked between meals. During such meal interval employees shall be allowed to leave the employer's premises.

NOTICE TO WORK OVERTIME.

12. At least 24 hours' notice shall be given when overtime is required to be worked.

TEA MONEY.

13. Any employee required to work overtime in excess of one hour beyond the usual time of ceasing work shall be paid not less than 5s. tea money in addition to the overtime rates as prescribed for in this Determination.

Provided that such tea money shall not be payable when a meal is supplied by the employer.

NOTICE OF INTENTION TO RATION.

14. Where an employer, owing to slackness of trade, desires to ration his employees, he shall give at least seven days' notice to each employee of his intention to ration such employee.

BICYCLE ALLOWANCE.

15. 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 3s. 6d. per week for such period as the bicycle is used.

REFERENCE.

16. On an employee being dismissed or leaving his or her employment he or she shall be entitled to and shall receive from the employer a reference stating the length of service, character, and qualifications. Such reference shall be given to the employee immediately on the termination of employment.

FARES.

17. Fares shall be paid by the employer to an employee who is required to work in more than one shop on the same day.

REST PERIOD.

18. An interval of ten minutes each morning and afternoon (Mondays to Fridays inclusive) shall be given as a rest period to all employees, and shall be counted as time worked.

SICK LEAVE.

19. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) During the first year—3½ hours' ordinary pay for each complete month of service;
- (ii) During any subsequent year of service—40 hours' ordinary pay.

Provided that in either case such employee produces or forwards within 48 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.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

TIME AND WAGES RECORD.

20. 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 Dairy Produce and Cooked Meat Traders' Association.

PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates of adult males 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*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed in clause 22.

Basic Wage.

| Place. | Basic Wage (Adjustable). | Index Number Set Assigned. |
|---|-----------------------------|-------------------------------|
| | £ s. d. | |
| Within the area to which this Determination applies | 11 17 0 | Melbourne |

ADJUSTMENT OF BASIC WAGE.

22. (a) 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.

(b) Until the beginning of the first pay period to commence in February, 1954, the amount of the basic wage shall be as prescribed in clause 21.

(c) 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, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

(d) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(e) The wages of apprentices or improvers shall be the appropriate percentages as set out in clause 2. Such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 11th December, 1953.

