



VICTORIA GOVERNMENT GAZETTE.

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[1954

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(Seed Mixing and Poultry Foods Section.)

NOTES.—(a) This Determination applies to the whole of the State of Victoria.

(b) On 18th July, 1938, 11th November, 1940, and 30th September, 1941, respectively, by Orders in Council, the following additional trades and branches of trades were specified to be trades, or branches of trades, for the purposes of Section (6) of the *Factories and Shops Act 1936*, that is to say:—

Gold beating.

Ornamenting cakes where such work is not subject to the Determination of the Pastrycooks Board.

Manufacturing or preparing—

Designs for paper patterns or for other paper articles whatsoever.

Paper crackers or bon-bons.

Lampshades of all types other than those made of silk, parchment, glass, metal, porcelain, earthenware, synthetic resin, casein, or other substance of a nature similar to synthetic resin or casein.

Abrasive articles (other than abrasive paper or cloth), including carborundum wheels, emery wheels and sharpening stones.

Articles made of feathers, including dress ornaments and boas.

Vinegar and yeast.

Carbon dioxide or other industrial gases for trade or sale in gas, liquid, or solid form.

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 employed in the following trades and branches of trades, that is to say:—

Renovating carpets;
Preparing feathers;
Treating flax;
Treating pyrites and other metalliferous ores
Mixing seed and making poultry foods;
Glass badging;
Gold stamping;
Ivory working;
Show-card and ticket-writing;
Manufacturing or preparing—
Abrasive paper or cloth;
Asbestos articles;
Blue prints;
Buttons and buckles other than those subject to the Determination of the Plastic Moulding Board;
Button badging;
Carbon articles;

Chalk, crayons, or other articles from mineral earth;
Cinematograph film;
Composition flooring;
Cutlery;
Artificial flowers and bouquets;
Paper articles not subject to any Board heretofore appointed;
Honey;
Ink or adhesives;
Silk or parchment lampshades;
Fishing and other nets;
Ornaments for cakes;
Plaster models;
Sporting goods not provided for under any Board heretofore appointed;
Surgical instruments;
Toys;
Watch cases;"

has made, in respect of mixing seed and making poultry foods, the following Determination, namely:—

1. That on the 14th December, 1953, the last previous Determination for this Section shall be revoked and replaced by this Determination.

2. WAGES PER WEEK OF 40 HOURS.

(a) Improvers.			(b) Other Employees.		
	Percentage of Basic Wage.	s. d.		s. d.	
Under 17 years of age ..	23	54 6	Adults (i) of three months' or more experience ..	244	0
17 years of age ..	35	83 0	(ii) of less than three months' experience ..	240	0
18 " " ..	47	111 6			
19 " " ..	63	149 6			
20 " " ..	77	182 6			

Proportion (in any place).

One improver to every two fully-paid workers.

PROHIBITION OF EMPLOYMENT.

3. The Board determines that no person shall be employed as an apprentice.

WEEKLY HOURS.

4. That the number of hours to constitute an ordinary week's work shall be 40.

TIMES OF BEGINNING AND ENDING WORK.

5. That the times of beginning and ending work shall be :—

Time of Beginning (not earlier than)—	Time of Ending (not later than)—
7.30 a.m. ..	12 noon on Saturday.
7.30 a.m. ..	5.30 p.m. on the other working days of the week.

OVERTIME.

6. That all time worked—

(a) Outside the times of beginning work prescribed in clause 5; or

(b) Within such prescribed times, but in excess of 40 hours in any one week—

shall be paid for at the rate of time and a half for the first four hours' work, and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

(c) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

HOLIDAYS.

7. (a) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay :—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, Queen'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 this provision shall apply only to the day so substituted.

(b) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half-day only when the working week consists of five and a half days.

(c) All employees, whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(d) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(e) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of double time.

7A. 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 7 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.

TERMS OF EMPLOYMENT.

8. (a) That notice equivalent to 40 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 the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 40 working hours' notice, except in circumstances referred to above, the employer may pay 40 hours' wages; and vice versa the employee leaving his employment without notice shall forfeit 40 hours' wages, which may be deducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays, and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

ANNUAL HOLIDAY.

9. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, and any amendments which may be made thereto from time to time.

SICK LEAVE.

10. (a) No deduction shall be made from the wages of any employee who has had not less than three months' continuous service with the same employer and who is unavoidably absent through illness for not more than 40 hours of working time in any year of service, provided he or she has submitted within 24 hours of the commencement of such absence evidence satisfactory to the employer that the same is not the result of his or her own misconduct.

(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 120 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause service prior to the 1st August, 1949, shall be disregarded.

MEAL PERIOD.

11. A meal period of not less than 30 minutes and not more than 60 minutes shall be allowed after a period of not more than five hours' continuous work. Such meal period shall not be calculated as time worked.

TEA MONEY.

12. Any employee who is required to work after 6 p.m. shall receive 2s. 6d. tea money.

BOILING WATER.

13. Employers shall provide boiling water for employees at meal times.

PERIODICAL ADJUSTMENT OF WAGES.

14. The wages rates set out in clause 2 (b) 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 as prescribed by clause 15.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

15. (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 14.

(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 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.

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

J. V. WILLOX, Secretary.

Melbourne, 14th December, 1953.

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