



VICTORIA GOVERNMENT GAZETTE.

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Labour and Industry Act 1953.

DETERMINATION OF THE SHOPS BOARD No. 10 (FISH AND POULTRY).

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

(b) On the 29th May, 1945, the Shops Board No. 10 (Fish and Poultry), the Determination of which was operative over an extended area, was appointed to take the place of the Shops Board No. 10 (Fish and Poultry) appointed on the 27th July, 1914, the Determination of which was limited to portion of the State only.

(c) By Order in Council of the 19th June, 1951, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons, or classes of persons, employed in or in connexion with the trade, business, or occupation of preparing or processing uncooked rabbits or hares for the retail, wholesale, or export trade and such power was conferred exclusively on the Rabbit Processing Board.

IN accordance with the provisions of the *Labour and Industry Act 1953*, the wages Board which has the power to "determine the lowest prices or rates which may be paid to any persons wheresoever employed in the business of—

- (a) killing, plucking, dressing poultry or game;
- (b) preparing fish for sale uncooked or for canning, drying, or smoking;
- (c) selling by wholesale or retail (except for consumption on the premises) poultry, game, fish, or oysters,
- (d) marketing (in fish and poultry markets) poultry, game, or fish"—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 29th November, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.

APPRENTICES OR IMPROVERS.

2. Wages per Week.

	Males.		Females	
	Percentage of Basic Wage.	Per Week.	Percentage of Female Basic Wage.	Per Week.
		<i>s. d.</i>		<i>s. d.</i>
Under 16 years of age	36	88 6	38	70 0
16 years of age	46	113 0	46	85 0
17 years of age	61	150 0	57	105 0
18 years of age	75	184 6	72	133 0
19 years of age	85	209 0	79	146 0
20 years of age	100 plus 3s. 6d.	249 6	86	156 6

PROPORTION.

MALES.

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than 280s. 6d. per week of 40 hours.

Improvers.

One improver to every four or fraction of four workers receiving not less than 280s. 6d. per week of 40 hours.

FEMALES.

Apprentices.

One apprentice to every three or fraction of three female workers receiving not less than 221s. per week of 40 hours.

Improvers.

One improver to every three or fraction of three female workers receiving not less than 221s. per week of 40 hours.

OTHER EMPLOYEES.
Wages per Week.

	Per Week.
	s. d.
Manager (i.e., the principal employee in any shop except a shop in which an owner or partner is working manager)	317 0
Manageress (i.e., the principal employee in any shop where females only are employed except a shop in which an owner or partner is working manager)	243 6
Foreman having the supervision of four or more workers	308 0
Shop hands (males) or salesmen	295 0
Fish bench hands, filleters, cleaners, or oyster openers	298 0
Poultry bench hands or pluckers	305 6
Labourers assisting—	
(a) Wholesale fish salesmen	303 0
(b) Wholesale poultry salesmen	293 0
Persons employed grading and/or placing plucked poultry in boxes	298 0
Females employed—	
(a) As shop hands	226 0
(b) At weighing, sizing, washing, stamping or branding poultry or filling cartons, moulds, or boxes of poultry	228 6
(c) At weighing, sizing, washing, stamping or branding fish, or filling cartons, moulds, or boxes of fish	221 0
All others	280 6

EMPLOYEES IN FREEZING CHAMBER.

3. (a) Notwithstanding the rates provided in Clause 2, 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 one hour on any day, shall be paid for all work (whether inside or outside the chamber) done on such day at the rate prescribed for chamber hands by the Determination of the Frozen Goods Board.

(b) Employees called upon to work in a temperature less than four degrees Fahr. down to two degrees below zero Fahr. shall be paid 1s. per hour or part thereof extra: provided that when an employee has qualified for payment of 4s. and is called upon to work again under similar conditions he shall be paid 8s. for the day. For the purpose of this clause one hour shall be deemed to be 60 minutes calculated from the time of first entering the chamber. An employee who becomes overheated working outside a cool chamber shall be allowed time to cool down before entering the chamber. This provision shall be reasonably construed. In the event of any question as to the temperature of any chamber, reasonable access to the temperature readings shall be given to a representative of employees.

HOURS FOR AN ORDINARY WEEK'S WORK.

4. The hours for an ordinary week's work shall be 40 to be worked as follows:—

- (a) Employees packing and processing fish by refrigeration and preparing poultry (other than in retail shops) in 5 days Monday to Friday inclusive and
- (b) All other employees by mutual arrangement in either 5 or 5½ days.

TIMES OF BEGINNING AND ENDING WORK.

5. Persons employed in connexion with—

- (a) The sale by retail of poultry, fish or game:—

	Time of beginning.	Time of ending.
Saturday	7.30 a.m. ..	1 p.m.
Other days	7.30 a.m. ..	6.30 p.m.

- (b) Packing and processing fish by refrigeration:—

Monday to Friday inclusive	8 a.m.	6.30 p.m.
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- (c) Preparing poultry (other than in retail shops):—

Monday to Friday inclusive	7.30 a.m.	5.30 p.m.
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- (d) At any work other than work provided for in sub-clauses (a), (b), and (c) hereof:—

Saturday	5.30 a.m. ..	12 noon
Other days	5.30 a.m. ..	3.30 p.m.

OVERTIME.

6. Any employee (other than a piece-worker) who works—

- (a) (i) Where a 5-day week is worked—
 In excess of 8 hours on any day Monday to Friday inclusive within the hours provided in clause 5 (employees in retail shops excepted)
- (ii) Where a 5½-day week is worked—
 In excess of 7 hours 12 minutes on any day Monday to Friday inclusive and 4 hours on Saturday within the hours provided in clause 5 (employees in retail shops excepted)
- (b) In excess of the hours provided for an ordinary week's work in clause 4 (excluding any overtime already provided for in sub-clause (a))
- (c) Outside the hours fixed in clause 5.

Shall be paid for such excess or for work outside such hours at the rate of time and a half, provided that all work done in excess of 4 hours on Saturday and all work done after 12 noon on Saturday shall be paid for at double time.

SPECIAL RATES.

7. (a) Double time shall be the special rate for all work done by time workers on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour 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, the special rate shall only be payable for work done on the day so substituted.

(b) For all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday, Christmas Day, and Boxing Day pieceworkers shall be paid double the rates mentioned in clause 25 (a).

(c) Pieceworkers shall be entitled to be absent on the Public Holidays mentioned in sub-clause (b) hereof and shall for such days be paid at time workers rates.

MINIMUM PAYMENT FOR SUNDAYS AND HOLIDAYS.

8. Any employee required to work on a Sunday or a holiday mentioned in clause 7 (a) shall be given a minimum of 4 hours' work or shall be paid for such period at penalty rates.

TIME RATES.

9. Any person employed between midnight Sunday and midnight Saturday on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to one-half the number of hours per week fixed in this Determination be paid the ordinary wage, with an addition of 33 $\frac{1}{3}$ per cent., and for each hour worked beyond the one-half aforesaid the rate of wages payable shall be the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

MEAL ALLOWANCE.

10. Any employee (whether on time wages or piece work) who is required to work for more than one hour after the usual closing time of the factory, shop, or place shall be paid 5s. as a meal allowance for each day that such extra time is worked. This clause shall not apply to employees of wholesale fish auctioneers.

MEAL INTERVALS.

11. (a) Employees (other than piece workers) employed by wholesale fish auctioneers shall be allowed a meal interval of not less than half an hour, or more than one hour between 7.30 a.m. and 9 a.m. If such employees are required to work more than five hours after the completion of their first meal interval they shall be allowed a further interval of half an hour, and a meal shall be provided by the employer.

(b) Employees other than those employed by wholesale fish auctioneers shall receive a meal interval of not less than one half-hour, and not more than one hour. Such meal interval shall not be required to be taken earlier than three hours or later than five hours of commencing work.

WORK TO BE CONTINUOUS.

12. The work of employees engaged in the preparation of fish shall with the exception of meal intervals as provided in clause 11 be continuous.

WAITING TIME.

13. Employees who are kept waiting before commencing work shall be paid for such period at time rates according to the class of work to be done.

LIFTING OF HEAVY BOXES OF FISH.

14. No employee shall be required to lift unassisted, boxes of fish exceeding 80 lb. in weight.

SPECIAL CLOTHING.

15. When an employee is required by law or his employer to wear a washable outer garment such employee shall be supplied with a clean set of serviceable outer garments each week.

WET WORK.

16. Where any wet work is performed waterproof aprons and rubber boots shall be provided free of cost to the employee.

TIME RECORD.

17. All employees (including piece-workers) shall indelibly record their daily times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance. Any one of such means of recording shall be provided and maintained by the employer.

UNION INSPECTION.

18. An accredited representative of the Federated Cold Storage and Meat Preserving Employees Union of Australia shall have access to the records of times recorded and wages received by employees provided such inspection is made during working hours.

DINING AND CHANGING ROOM.

19. A dining-room, and changing-room, together with adequate facilities for washing, and for boiling water for making tea shall be provided in all places (other than retail shops) in which two or more persons are employed preparing fish or poultry for trade or sale.

SMOKE OIL.

20. Employees shall be entitled to a smoke-oil period of ten minutes each morning and afternoon.

ANNUAL HOLIDAY.

21. The annual holiday shall be as prescribed by the provisions of the *Labour and Industry Act* 1953, and any amendments which may be made thereto from time to time.

SICK LEAVE.

22. (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—3 $\frac{1}{2}$ 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 be cumulative from year to year.

For the purposes of this sub-clause service prior to the 26th April, 1946, shall be disregarded, provided that any accumulated sick leave, not exceeding 96 hours of working time, standing to the credit of the employee on the 1st April, 1954, shall not be reduced by virtue of the provisions of this sub-clause.

No employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

WASHING TIME.

23. Ten minutes, washing time shall be allowed employees engaged in the wholesale fish and poultry sections at the completion of the day's work.

VARIATION OF DETERMINATION.

24. Where the exigencies of the industry are such that the best interests of the employers, employees, and the community as a whole may be served by varying any part of this Determination by mutual consent, such variation may be mutually arranged by agreement with an officer of the Department of Labour, an officer of the Cold Storage Union, and the employer or his representative. Full particulars of such variation are to be reported to and approved by the Chief Inspector of Factories or his deputy.

PIECEWORK PRICES.

25. The lowest piecework price payable to any person engaged in the following kinds of work shall be—

(a) Between the hours of 6.30 a.m. and 1 p.m. on Saturday, and 6.30 a.m. and 8 p.m. on any other week day—

	s.	d.	
*Blooding cotta	0	9	per large box
*Splitting cotta	1	0	per large box
*Scaling and cleaning salmon	1	6	per large box
*Scaling and cleaning bream, flathead, trout, and all other medium fish	2	6	per large box
*Cleaning garfish, flathead, mullet, and all other very small fish	3	0	per large box
*Cleaning whiting	0	3	per dozen
*Filleting whiting	0	6	per dozen
*Cleaning flounders	0	3	per dozen
Trimming shark	0	6	per box
Skinning and trimming shark	2	0	per box

} Plus 212 per cent.

* Including washing.

(b) Outside the hours stated in sub-clause (a) hereof:—The rates provided in clause 25, sub-clause (a), with the addition of 50 per cent.

PERIODICAL ADJUSTMENT OF WAGES.

26. The wages rates for males set out in clause 2 are based upon the following basic wage and, pursuant to the provisions of Section 33 of the *Labour and Industry Act 1953*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 27. The piecework prices set out in clause 25 shall be increased or decreased at the same time and in the following manner: For each increase or decrease of 1s. in the basic wage the added percentage shown in the margin shall be increased or decreased (as the case may be) by 1 per cent.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	12 6 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

27. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's "C" Series 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 February, 1956 the amount of the basic wage shall be as prescribed in clause 26.

(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 "C" series 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, improvers and juvenile workers 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 November, 1955