



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, AUGUST 27.

[1936

Factories and Shops Acts.

SUGAR REFINERS BOARD.

NOTE.—This Determination on the 1st September, 1936, applied to the whole of the State of Victoria.

IN THE COURT OF INDUSTRIAL APPEALS.

IN the matter of the Factories and Shops Acts,

and

In the matter of an Appeal by the Colonial Sugar Refining Company Limited (an employer who employs not less than 25 per centum of the workers in the trade) against the Determination of the Sugar Refiners Board, dated the 29th January, 1936.

Monday the 8th day of June, 1936.

(Before His Honour Mr. Justice Martin, Mr. Thomas Murray Steele, and Mr. James A. Molloy).

The above-mentioned Appeal, coming on for hearing before this Court on the 26th May, 1936, and this day. UPON READING the Appeal, and UPON HEARING Mr. F. P. Derham, of Counsel, and a witness in support of the Appeal, and Mr. P. J. Sheehan for the employees: THIS COURT BOTH ORDER AND DETERMINE:—

(1) That on the 1st September, 1936, the Determination of the Sugar Refiners Board, dated the 29th January, 1936, shall be revoked and replaced by this Determination as to the lowest prices or rates which may be paid to any persons employed in connexion with the trade of sugar refining.

(2)

APPRENTICES OR IMPROVERS.			JUVENILE WORKERS.		OTHER EMPLOYEES.	
Wages per Week of 44 Hours.			Wages per Week of 44 Hours.		Wages per Week of 44 Hours.	
Age.	Males.	Females.	Males.	Females.	<i>Adult Males.</i>	
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>
Under 16 years ..	17 5	17 5	17 5	17 5	Raw Sugar Store—	
16 years ..	22 10	19 0	22 10	19 0	Men unstringing	79 0
17 ..	32 0	21 2	32 0	21 2	Men cutting in	80 0
18 ..	40 9	25 6	40 9	25 6	Elevator attendant	78 0
19 ..	48 3	30 11	48 3	30 11	Wash tank hands	75 0
20 ..	56 11	38 0	56 11	38 0	Riggers	80 0
					Melting House—	
					Washing fugalman	78 6
					Melter attendant	75 0
					Mixer	75 0
					Carbonatation House—	
					Men on liquor filter presses	76 0
					Men on mud	76 0
					Leading hand	81 0
					Men on gas tank	77 0
					Men on crushing and stacking lime	75 0
					Man washing and checking filter press sheets	75 0
					Char End—	
					Kiln repairers	75 0
					Kiln firemen	81 0
					Wet charmen	81 0
					Char runners	81 0
					Pan Floor—	
					1st sugar boilers	95 0
					2nd sugar boilers	88 0
					Pan attendant, attending triple effe	75 0
					Refined sugar fugalmen	78 6
					Jelly House—	
					Leading hand	78 6
					Jelly fugalman	75 0
					Refined Sugar Store—	
					Receiving at truck yards (leading hands)	78 0
					Icing mill attendant	75 0
					Driers (leading hand)	76 0
					Driers (others)	75 0
					Automatic scale attendant	78 0
					Leading hand packing floor	78 0
					Golden Syrup and Treacle Shop—	
					Man packing and weighing (bulk)	75 0
					Liquor runners	81 0
					Assistants	75 0
					All others	72 0
					Adult females	39 8

PROPORTION (IN ANY PLACE).

Males.

One apprentice and one improver to every three or fraction of three workers receiving not less than the rate payable from time to time to "All others."

Females.

One apprentice and one improver to every three or fraction of three workers receiving not less than the rate payable from time to time to "Adult Females."

(3) The wages for adult males herein prescribed shall during each period of thirteen weeks, beginning with the first pay period to commence in December, March, June, or September in each year, commencing with the first pay period in December, 1936, be reduced by 6d. per week until the wage for employees classified as "All others" is 1s. more than the corresponding basic wage adopted by the Commonwealth Arbitration Court, based on the Commonwealth Statistician's "All Items," "C" Series, retail price index numbers for Melbourne.

Thereafter the wages for all adult males are to be adjusted on the basis of the "C" Series before mentioned with the addition of 1s. Provided, however, that no such adjustment shall be made if the amount of the adjustment would be less than 2s. per week.

The wages of adult females and all juniors, male and female, shall be reduced and adjusted proportionately to the alterations in the wage for employees classified as "All others."

(4) **EXTRA RATES AND ALLOWANCES.**—In addition to the wages prescribed herein, the following extra rates and allowances shall be paid to adult males:—

Any employee working on shift who does not normally do so, and those classified as "All others" who work on shifts, shall be paid an additional allowance at the rate of 3s. per week over and above his usual wage for each week or part of a week in which he works on shift.

Employees classified as "All others," who are directed to enter and clean tanks, viz.:—Carbonatation tanks, house syrup tanks on roof, black boil-out tanks, extension tanks, scrubbers or crystalizers, shall receive an additional 9d. for each hour or part of an hour spent in such work.

(5) **DEFINITION OF JUVENILE WORKERS.**—Persons under 21 years of age (other than apprentices or improvers) employed turning bags, sweeping trucks, receiving and placing sacks, driving friction winches, packing sugar and sewing mouths of bags, trucking sugar, collecting samples, labelling, filling golden syrup and treacle tins.

(6) **OVERTIME.**—(a) *Workers Employed on Shifts.*—All work done in excess of eight hours per shift or in excess of 132 hours in 21 consecutive days shall be paid for at the rate of time and a half.

(b) *All Others.*—All work done in excess of eight hours in any one day or in excess of 44 hours in any one week shall be paid for at the rate of time and a half.

Any employee who is required to work overtime shall be paid the overtime rate for a minimum of half an hour.

(7) **LATE ATTENDANCE.**—Any employee arriving late to work shall have a deduction made of a quarter of an hour's pay for each quarter of an hour or portion thereof that he is late.

(8) **SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.**—(a) All time worked except between 11 p.m. and midnight on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Easter Saturday, Easter Monday, Labour Day (21st April), King's Birthday, Christmas Day, and Boxing Day shall be paid for at the rate of double time; 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) Employees (other than casual employees) shall be paid at ordinary rates for Anzac Day and the holidays set out in the preceding sub-clause although they do not work.

(9) **ANNUAL LEAVE.**—Each employee shall be allowed in each year, commencing with the year 1936, leave of absence for six consecutive working days on full pay (the equivalent of forty-four hours' pay) at the convenience of the employer in respect of service during the previous year.

Provided that where an employee has worked for a period of less than twelve months in any year such employee shall be allowed leave on a proportionate basis for each completed two months of continuous service.

Employees dismissed for misconduct or who voluntarily terminate their employment shall not be entitled to any annual leave.

(10) **SICK PAY.**—Any employee with not less than six months' service who does not attend for duty by reason of personal ill health shall be allowed ordinary rates for the actual time of such non-attendance, provided he produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the management that his non-attendance was due to personal ill health.

An employee shall not be entitled to any allowance on this ground for more than six days (the equivalent of 44 hours' pay) in each calendar year.

Personal ill health does not include ill health which is the result of an accident, or ill health the result of misconduct.

(11) **MEAL ALLOWANCE.**—A meal allowance of 1s. 6d. shall be paid to employees (other than casual employees) when required to work overtime without notice being given the day before such overtime is required, and provided a minimum of two hours' overtime is worked.

(12) **PIECEWORK.**—The Board determines, under the provisions of Section 150 of the *Factories and Shops Act 1928* (No. 3677), 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 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.

By the Court.

H. N. JONES,

Registrar.