

VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, OCTOBER 21.

[1937

Factories and Shops Acts.

DETERMINATION OF THE GROCERS' SUNDRIES BOARD.

Note.—This Determination on the 15th October, 1937, applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which, since the 23rd July, 1934, has had the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

- (a) manufacturing cereal foods (except in flour mills), spices, condiments, coffee, chicory, cocos, or any kind of goods commonly known as Grocers' Sundries;
- (b) making, tinning, putting up, bottling, wrapping, labelling, or otherwise preparing for sale moulders' blacking, moulders' plumbago preparations, blacklead, boot blacking, boot paste, boot polish, washing blue, harness dressing, harness compounds, ebonite shine, stove polish, knife polish, metal polish;
- (c) grinding, tinning, putting up, bottling, wrapping, labelling, or otherwise preparing for sale charcoal or coal dust; and
- (d) making soap, washing soda, candles, or starch "-

has made the following Determination, namely:-

(1) That on the 15th October, 1937, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

APPRENTICES OR IMPROVERS.

Wages per We	сек от 44 Ноп	RS.	PROPORTION (within any factory or place).					
	Males.	Girle.	Apprentices.	Improvers.				
16 to 17 ,, 17 ,, 18 ,, 18 ,, 19 ,, 19 ,, 20 ,,	s. d. 20 6 25 0 30 9 43 6 54 0	26 0 29 9	Grocers' Sundries, Polish, Soap and Soda, or Starch Sections. One male apprentice to every three or fraction of three male workers receiving not less than 75s. per week of 44 hours. One girl apprentice to every three or fraction of three women workers receiving not less than 39s. 3d. per week of 44 hours. Candle Section. One apprentice to every three or fraction of three workers receiving not less than 39s. 3d. per week of 44 hours. An indenture of apprenticeship prescribed by the Board was approved on 31st July, 1925.	Grocers' Sundries, Polish, or Starch Sections. One male improver to every four or fraction of four male workers receiving not less than 75s. per week of 44 hours. One girl improver to every four or fraction of four women workers receiving not less than 39s. 3d. per week of 44 hours. Candle or Soap and Soda Sections. One improver to every five or fraction of five workers receiving not less than 75s. per week of 44 hours.				

JUVENILE WORKERS.

Wages per Week of 44 Hours.			Definitions.			
4 to 15 years 5 ,, 16 ,, 6 ., 17 ,, 7 ,, 18 ,, 8 ,, 19 ,, 9 ,, 20 ,, 0 ,, 21 ,,	Males. s. d. 17 0 17 9 22 0 25 6 30 3 39 0 43 3	Girls. s. d. 18 3 19 3 23 3 26 0 29 9 33 3	Grocers' Sundries Section. Persons under the age of 21, other than apprentices or improvers, engaged in filling any bags, weighing, closing, wrapping or labelling or casing packets, tins, bottles, or bags for stock, or assisting in the manufacture of vermicelli or Italian paste. Polish Section.	Candle Section. Persons under the age of 21, other than apprentices or improvers, who, if males, are employed at candle cutting, wick winding or packing candles, or, if girls, are employed packing candles in boxes, or wrapping of labelling candles. Starch Section.		
			Persons under the age of 21, other than apprentices or improvers employed at wrapping, packing, bottling, labelling, tinning or putting up, filling, weighing, or closing. Soap and Soda Section. Persons under the age of 19, other than apprentices or improvers, employed in wrapping or packing washing soap or soap extract.	Persons under the age of 21, other than apprentices or improvers, who, if males are employed at any work excepting— (1) weighing and carrying rice; (2) range work; (3) sheet laying, shaking, carrying out and cutting out draining boxes; (4) Filling and emptying crusting stoves or, if girls, are employed scraping and wrapping blocks, or filling, weighing, label ling, or easing starch.		

OTHER EMPLOYEES.

WAGES PER WEEK OF 44 Hours.

				WAGES FER WEER OF THE IL	-	J.					
Grocers' Sundries Section		4.	d.	Soap and Soda Section.		€.	d.	Candie Section.	£	ð,	d
Miller, i.e., an employee in charge				Soapmaker's assistant	4	5	6	Acidifier	4	1	0
of one or more grinding depart-				Foreman in charge and actually				Stillman	4	ı	0
ments		5	6	working in the frame room,				Glycerine distiller	4	1	0
tonedresser	4	5		packing room, and cutting				Evaporator	4	1	0
tonedresser	4	5	6	room	4	5	6	Candle moulder, with twelve			
offee essence maker, i.e., an em-				Milling room foreman in charge				months' experience	4	ì	0
ployee in charge of vacuum				of and actually working at the				Candle moulder, with less than			
pans making coffee essence		2	6	milling of soap	4	1	0	twelve months' experience	3	19	0
lixer or blender, i.e., an em-				Soap mixer, i.e., an employee in				Candle room ganger	4	1	
ployee in charge of one or more				charge of and actually working				Press room ganger	4	1	0
mixing or blending departments	4	0	0	at a power crutcher	4	1	0	Cupboard runner	4	1	U
ilnman, i.e., an employee in				Caustic soda and silicates pre-				Provided that where cupboard			
charge of and actually doing			_	parers, i.e., employees engaged				runners are required to remain in			
the work of a kilnman		18	6	in preparing caustic soda and				the cupboard at a temperature of			
lill assistant, i.e., an employee				silicates for soapmaker	4	1	0	100° F. for more than half an			
(working under the direction of				Soda crystal maker, i.e., an em-				hour continuously on any one			
a miller) who supervises the				ployee in charge of and				day, 6d. per day extra shall be			
running of grinding, rolling, or	_		_	actually working at soda				paid.			
cleaning machines	3	18	0	crystal making	4	0	0	_			
Sagged goods carrier or stacker,				Soap-cutting machinist, i.e., an				Storeman and packer	3	18	0
i.e., an employee engaged				employee in charge of and			i	Storeman and packer in charge			
carrying or stacking cereal or				actually working at a power				of six or less storemen and			
other bagged goods in their raw				soap-cutting machine	3	19	6	packers	4	1	0
state, but not engaged in the				Soap cutter by hand, i.e., an				Storeman and packer in charge			
manufacture or delivery of				employee in charge of and				of seven or more storemen			
goods	3	18		actually cutting soap by hand	3			and packers	4	5	0
toreman and packer	3	18	0	Soap crutcher by hand	3	19	0	All other adult men	3	15	0
storeman and packer in charge				Power stamping machinist, i.e.,			- 1	All other adult women	1	19	3
of six or less storemen and				an employee in charge of and							
packers		1	U	actually working at a power	_		_	Starch Section.			
toreman and packer in charge				stamping machine	3	17					
of seven or more storemen and packers		_			3	18	0]	Foreman	4		6
at a said		.5		Storeman and packer in charge			- 1	Stone dresser or miller	4	5	в
		15		of six or less storemen and			ا ہ	Leading Hand, i.e., an adult			
or other addit women	1	19	3	packers	4	Ţ	ויי	employee who gives instruc-			
Polish Section.				Storeman and packer in charge			- (tions and is responsible for the			
Ponen Section.				of seven or more storemen		_	۱ ۾	work done in the starch		_	_
Foreman	4	^		and packers	4	.5	δl	factory Millstone attendant	4		5
fill hand, i.e., an employee	4	0	U	All other adult men All other adult women	3	15		Millstone attendant	3	18	U
working at a mill used for the			i	All other adult women	1	18	3	Person in charge of starch	_		_
grinding of moulders' blacking,							- 1	draining boxes	3	18	0
moulders' plumbago prepara-								Person in charge of cornflour	_		_
monders plumbago prepara-		^						runs		18	
tion, charcoal, or coal dust	4	0	יי					Storeman and packer	3	18	0
oot polish mixer, i.e., an employee in charge of and								Storeman and packer in charge			
			- 1					of six or less storemen and			
and the line of the line of the line								packers	4	1	0
actually working at mixing boot		^	اما					Storeman and packer in charge			
actually working at mixing boot polishes	4	0	0								
actually working at mixing boot polishes bot blacking mixer, i.e., an	4	0	0					of seven or more storemen			
actually working at mixing boot polishes bot blacking mixer, i.e., an employee in charge of and	4	0	0					of seven or more storemen and packers	= .	5	
actually working at mixing boot polishes bot blacking mixer, i.e., an employee in charge of and actually working at mixing		-						of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes toot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking		0						of seven or more storemen and packers	3	15	
actually working at mixing boot polishes toot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking. Vashing blue mixer, i.e., an em-		-						of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes an employee in charge of and actually working at mixing boot blacking	4	0	0					of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes toot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking Vashing blue mixer, i.e., an employee in charge of and actually working at mixing washing blue working at mixing washing blue	4	0	0					of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes too blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking. Vashing blue mixer, i.e., an employee in charge of and actually working at mixing washing blue toreman and packer.	4	0	0					of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes oot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking rashing blue mixer, i.e., an employee in charge of and actually working at mixing washing blue toreman and packer toreman and packer in charge of	4 3	0 0 18	0					of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes oot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking vashing blue mixer, i.e., an employee in charge of and actually working at mixing washing blue toreman and packer toreman and packer in charge of six or less atoremen and packers	4 3	0 0 18	0				,	of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes toot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking	4 3	0 0 18	0					of seven or more storemen and packers	3	15	Õ
actually working at mixing boot polishes oot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking 'ashing blue mixer, i.e., an employee in charge of and actually working at mixing washing blue toreman and packer in charge of six or less storemen and packers toreman and packer in charge of seven or more storemen and packers are to the seven or more storemen and packers are to seven or more storemen and	4 4 3 4	0 0 18 1	0					of seven or more storemen and packers	3	15	Ò
actually working at mixing boot polishes Soot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking Vashing blue mixer, i.e., an employee in charge of and actually working at mixing washing blue toreman and packer in charge of six or less storemen and packers boreman and packer in charge of seven or more storemen and seven or more storemen and packers seven or more storemen and packers	4 4 3 4	0 0 18 1	0					of seven or more storemen and packers	3	15	Õ

- (3) EMPLOYMENT.—WHEKLY WAGES.—(a) Employees may be engaged by the week, and when so engaged must be available, ready, and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employees affected.
- (b) Employment for the first two weeks of service shall be from day to day at the weekly rate fixed.

 (c) Any weekly employee not attending for duty shall lose his or her pay for the actual time lost unless he or she produces or forwards within 24 hours of the commencement of such absence satisfactory evidence to the employer that his or her 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 grounds of personal ill-health or accident for more than six days in each year commencing from the 21st December.

(d) An employee is not to be entitled to more than six days' payment in any year for such non-attendance notwithstanding that

he or she may be employed during the year by more than one employer.

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- (4) Hours of Work.—(a) The hours of employment without payment for overtime shall not exceed 44 per week. Except as to shift workers ordinary hours shall be worked in 5 days of 8 hours, and one day (Saturday) of 4 hours, or in 5 days of 8 hours 48 minutes each, continuously, except breaks for meals, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday, at the discretion of the employer. Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and the Manufacturing Grocers Employees' Federation of Australia.
- (b) The employer shall fix the starting and finishing times, provided that no change in such fixed times shall be made except by agreement between the employer and the Manufacturing Grocers Employees' Federation of Australia, and provided further that one week's notice of any such change shall be given to the employees.
- (5) OVERTIME.—All work performed outside the starting and finishing times, provided for in clause 4 or fixed pursuant to an agreement under clause 11 (d) of this Determination, or in excess of 44 hours per week, shall be paid for at the rate of half time in addition to ordinary time. Overtime rates shall be paid on the basis of a quarter of an hour. A fraction of a quarter of an hour shall be paid for as a quarter of an hour. Piece-work done outside the starting and finishing times shall be paid for with the addition of a half rate to the ordinary rate.
- (6) SPECIAL RATES.—(a) Employees shall receive payment at double time rate for work done on Sunday, and shall receive payment at ordinary rate in addition to the full weekly rate for work done on Christmas Day, Boxing Day, New Year's Day, Australia Day (26th January), Labour Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday; 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) When Christmas Day, Boxing Day, or New Year's Day, or a proclaimed substitute therefor falls on a day other than Sundays and payment of wages is not included in the weekly wage in consequence of the Christmas holidays having been taken as provided for in sub-clause (f) hereunder, then employees shall receive payment for each of such days calculated as eight hours.
- (c) All employees on time work off duty on any of the above-mentioned holidays, other than Sunday, shall be paid for such days are rate. Piece-workers shall be paid for such holidays and Sundays at the rate payable to employees on time work doing the at ordinary rate. I
- (d) Where an employee is absent from his or her work on the day before or the day after a public holiday without reasonable excuse, or without the consent of the employer, the employee shall not be entitled to payment for such holidays.
- (e) Where the majority of the employees of any establishment or of any department agree with the employer to work part time for any period, or to close down for any period on the days other than the prescribed holidays, the weekly rate shall not apply.

Christmas Holidays.—(f) On or before the 14th December in each year the employer shall be given or may obtain notice of the number and names of his adult employees who do not elect to work on the working days between Christmas Day and New Year's Day. If more than 33 per cent. of such of the adult employees in any particular establishment as come within the classification in this Determination indicate to the employer their election not to work on such days, then the employer may if he chooses, close down his establishment on such days, provided that on or before the 21st December he gives notice to his employees of his intention to do so. Where such number is 33 per cent. or under, then the employer shall keep his establishment open for work on such days, or, if he closes it, he shall pay the ordinary wage to those employees who have declared themselves ready and willing to work on such days and who have not been dismissed in conformity with this Determination.

- (g) Where the business is kept open for work, the employer may require the employees presenting themselves for work to work in any capacity he may appoint, provided the employees shall be paid at their ordinary rates for such work as they are called on
- (h) If any employee has not indicated to the employer on or before the 14th December that he does not intend to work on the days in question, and absents himself from work when the business is open for work on such days, then such employee shall receive no pay therefor.
- (7) TERMINATION OF EMPLOYMENT.—(a) Seven days' notice of termination of employment shall be given on any day of the week by either employer or employee provided that such notice given to an employee solely for the purpose of avoiding payment for prescribed holidays shall not deprive such employee of payment for holidays occurring between such notice and re-engagement, if any.
- (b) Nothing contained in this Determination shall affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, or to deduct payment for any day on which the employee cannot usefully be employed because of a strike, or stoppage of work for which the employer cannot reasonably be held responsible.
- (c) In the event of such dismissal, wages shall be paid up to the time of such dismissal. If an employee's services be terminated during the course of a week he shall be paid all money due to him at the termination of his services, or such money shall be forwarded to him by post within 24 hours thereafter.
 - (8) PAYMENT OF WAGES.-Wages shall be paid weekly on a week day other than Saturday.
- (9) MEAL TIMES.—A lunch period of at least one half-hour for each employee shall be fixed in each factory between 12 noon and 2 p.m. for other than shift workers. No employee shall be required to work more than five hours from the starting of work in the morning without a break for lunch.
- (b) Work performed during the usual meal hours shall be paid for at the rate of time and a half, but where the total hours worked (including time worked during such meal time) do not exceed the prescribed daily number of hours then such time shall be deemed to mean an additional payment at half ordinary rate only for such meal time. Such employee shall be allowed time for a meal.
- (10) REST PERIOD .- Women workers on time work shall be allowed an interval of ten minutes between 10 a.m. and 11 a.m. for and such interval shall be observed at times convenient to the employer. Such intervals shall count as time worked.
 - (11) SHIFT WORKERS.—(a) Shift workers shall have a break for meals without deduction of pay.
- (b) Shift workers engaged on a second or third shift daily, other than overtime, shall receive payment at ordinary time plus 5 per cent.
- (c) Shift workers on a second or third shift who are unable to travel to and from work on workmen's tickets shall be paid is. 6d. per week in addition to their ordinary rate of pay.
- (d) Shift work, including overlapping shifts, may be arranged by agreement between the employer and the Manufacturing Grocers Employees' Federation of Australia.
 - (12) SUPPLY OF MATERIALS.—The undermentioned materials shall be provided free officharge by every employer—
 - (a) All necessary tools of trade, which shall be kept in good repair by the employer.
 (b) Uniforms and caps required by the employer to be worn by the employees.
 (c) Goggles for employees engaged in work injurious to the eyes.
- (13) Tra Money.—Any employee required to work overtime or any period in excess of one hour after the usual hour of ceasing duty shall either be supplied with a meal at the employer's expense, or be allowed 2s for each meal required if the expense is incurred. Provided that this clause shall not apply where the employee was notified the previous day of the intention to work overtime. Provided further that where the employee was notified the previous day of the intention to work overtime was not worked he shall be entitled to the meal allowance herein provided.

 The provisions of this clause shall not apply in the case of boys under sixteen years of age or women or girls employed in factories whose conditions regarding overtime are governed by section 38 of the Factories and Shops Act 1928 (No. 3677).

- (14) PIECEWORK.—The Board determines under Section 150 of the Factories and Shops Act 1928 (No. 3677) that the employer may fix his or her own piecework rates, provided such prices enable an employee of average capacity working under like conditions to earn at least 10 per cent. above the minimum weekly wage in their respective classes. The same piecework prices shall be paid to all pieceworkers doing the same operation in the factory, whether they be improvers or juveniles on piecework or otherwise.
- (b) Pieceworkers who are requested to wait on or about the employer's premises for work on any one day for more than half an hour shall be paid for such waiting time at the rate based on the minimum weekly wage.
- (c) A weekly pieceworker shall be allowed in each week sufficient piecework to enable such employee to earn at least the prescribed rate fixed in this Determination for the class of work performed. If such work is not provided, and the employee is ready and willing to perform all work provided, then such employee shall be paid the minimum wage applicable to the employee so employed.
- (d) Pieceworkers working overtime for less than 15 minutes, or any fraction of 15 minutes, shall have their payment computed on the basis of an average amount of work done in 15 minutes.
- (15) DESTRUCTION OF CLOTHING.—Where satisfactory evidence is produced by an employee that, when dissolving caustic soda, using solutions of caustic sods or mineral acids, his or her clothing has been destroyed through no fault of such employee, reparation shall be made by the employer.
- (16) WEIGHT CARRYING.—No woman worker over the age of 18 years shall be required to carry a greater weight than 30 pounds. Section 207 of the Factories and Shope Act 1928 (No. 3677) provides that no person employing any girl under the age of 18 years in a factory shall permit such girl while so employed to lift or carry a greater weight than 25 pounds.
- (17) TEMPORARY WORK.—A temporary employee shall mean a person employed for 24 hours or less in any one week, but no employee shall be deemed to be a temporary worker where after employment for at least one week he is dismissed before he has worked 24 hours in the succeeding week, or where his non-employment for more than 24 hours is wholly attributable to causes over which the employer has no control.

Temporary workers unless dismissed for misconduct shall be paid at the rate of time and a third for all work performed.

(18) Devinition.—For the purpose of this Determination, year shall mean a period of twelve calendar months commencing on the 21st December in each year.

H. J. RICHARDSON, J.P., Chairman. GEO. E. PARR, Secretary.

Melbourne, 29th September, 1937.