



VICTORIA GOVERNMENT GAZETTE.

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[1938

Factories and Shops Acts.

DETERMINATION OF THE GARDEN EMPLOYEES BOARD.

NOTE.—This Determination applies to the Metropolitan District as defined in the *Factories and Shops Act 1928* (No. 3677) and the Order in Council thereunder; such portions of the City of Sandringham as are not within the said district; and the cities of Ballarat, Bendigo, Geelong, Mordialloc, and Warrnambool.

IN accordance with the provisions of the *Factories and Shops Acts*, the Wages Board which since the 18th July, 1938, 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 as gardeners or gardeners' labourers—

- (a) by a master gardener other than a market gardener;
- (b) in connexion with the laying out, cultivation, or keeping in order of gardens in connexion with private houses, guest houses, flats, or factories;
- (c) in the laying out, cultivation, or keeping in order of a garden or lawn in connexion with a racecourse;
- (d) in the laying out, cultivation, or keeping in order of a garden, lawn, fairway, or green in connexion with any golf links or putting green."

has made the following Determination, namely:—

(1) That on the 14th December, 1938, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.			Other Employees.			
	Wages per week of 44 hours.			Wages per Hour.	Wages per Week.*	Hours per Week.
	s.	d.		s. d.	s. d.	
15 years of age or under	..	18 3	(a) Master gardeners' employees—			
16 years of age	..	21 0	Foremen gardeners in charge of two or more employees	2 2½	97 2	} 44.
17 years of age	..	23 6	Gardeners†—			
18 years of age	..	33 6	21 years of age	1 5½	64 2	
19 years of age	..	41 0	22 years of age	1 11½	84 4	
20 years of age	..	48 9	Gardeners' labourers	1 9½	78 10	
PROPORTION (WITHIN ANY PLACE).			(b) Persons employed in connexion with the laying out, cultivation, or keeping in order of gardens in connexion with private houses, guest houses, flats or factories—			
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.			(1) Employed on Jobbing Work—			
One improver to every three or fraction of three workers receiving not less than the minimum wage.			Gardeners†—			
JUVENILE WORKERS, i.e., persons (other than Apprentices or Improvers) employed on golf links in the filling of divot holes or weeding fairways or greens.			21 years of age	1 5½	64 2	} 44
			22 years of age and over	1 11½	86 2	
			Gardeners' labourers	1 9½	78 10	
			(2) All others—			
			Foremen gardeners in charge of two or more employees	2 2½	97 2	} 44
			Gardeners†—			
			21 years of age	1 5½	63 3	
			22 years of age and over	1 10	80 8	
			Gardeners' labourers	1 9½	78 10	

Apprentices or Improvers.	Other Employees.			
		Wages per Hour.	Wages per Week.*	Hours per Week.
	(c) Persons employed in the laying out, cultivation, or keeping in order of a garden or lawn in connexion with a racecourse—	s. d.	s. d.	
	Foremen gardeners in charge of two or more employees	2 2½	97 2	} 44
	Gardeners†	1 10	80 8	
	Gardeners' labourers	1 9½	78 10	
	(d) Persons employed in the laying out, cultivation, or keeping in order of a garden, lawn, fairway, or green, in connexion with a golf links or putting green—			
	21 years of age	1 4¾	61 5	} 44
	22 years of age and over	1 10½	81 7	
	Provided that any employee whose regular duty it is to attend, maintain, adjust and/or operate motor mowers shall, if over 22 years of age, receive an additional amount of 5s. per week.			

* Except in the case of an apprentice improver, or juvenile worker the minimum wage where the employer boards and lodges the employee shall be 20s. per week less. † See clause 10.—Definitions.

(3) TIME OF BEGINNING AND ENDING WORK.—For all persons other than those engaged solely at watering—

Golf links or racecourses—

Time of beginning, not earlier than—

Time of ending Work, not later than—

7.30 a.m. 12 noon on Saturday (or the day on which the half-holiday is locally observed).

7.30 a.m. 6 p.m. on the other working days of the week.

Any other place—

7.30 a.m. 6 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday.

(4) OVERTIME.—The following rates shall be paid for overtime—

Persons engaged solely at watering—

(a) On golf courses .. For all work in excess of 8 hours per day on Monday, Tuesday, Wednesday, Thursday, Friday, and 4 hours on Saturday ..

(b) Any other place .. For all work done in excess of the maximum number of hours fixed as a week's work ..

All others—

For all work outside the times of beginning and ending work

For all work done in any week within the times of beginning and ending work, in excess of the maximum number of hours fixed as a week's work

Time and a half for the first two hours and thereafter double time.

(5) SPECIAL RATES.—For all work done on Sundays and the undermentioned holidays the rates shall be:—

Sundays { Persons employed on golf courses (other than those employed at watering or wiping greens) Double time.
All others Time and a half.

New Year's Day, Labour Day, Good Friday, }
Easter Monday, Anzac Day, King's Birthday, } All persons Time and a half.
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.

(6) HOLIDAYS.—All persons (other than those employed for less than the number of hours fixed for a week's work) shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

Provided that if an employee works on any one of such days he shall receive, in addition to his ordinary pay, one and a half day's holiday on full pay or one and a half day's pay in lieu thereof.

(7) PAYMENT OF WAGES.—Payment of wages shall be made weekly.

(8) TERMINATION OF EMPLOYMENT.—Seven days' notice of termination of employment shall be given by employer or employee. This provision shall only apply in respect to persons employed on golf courses or racecourses.

(9) ANNUAL LEAVE.—Any employee who has been in full time service of any one employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of the holidays mentioned in clause (5),) in each year on full pay, and such holiday shall be given within three months of the completion of twelve months' service.

(10) RIGHT TO INTERVIEW EMPLOYEES.—During the meal interval, and not more than once a fortnight, a duly accredited official of the Australian Workers' Union, authorized in writing by the President and Secretary of the Victorian Branch of such organization, shall have the right to interview any person covered by this Determination at his place of employment on legitimate union business.

(11) DEFINITIONS.—For the purposes of this Determination a gardener shall be defined as a person engaged in the pruning of roses or fruit trees; or in the trimming of a hedge with hedge clippers or shears; or in designing or supervising the laying out of a garden, or in budding, propagating, grafting, planting, or potting.

Jobbing Work shall mean work which is performed by a person who goes from job to job in the ordinary course of his employment during the week.

J. W. CLARKE, Chairman.

GEO. E. PARR, Secretary.

Dated at Melbourne, the 29th day of November, 1938.