



VICTORIA GOVERNMENT GAZETTE.

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No. 250]

THURSDAY, AUGUST 3.

[1939

Factories and Shops Acts.

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

NOTE.—This Determination, on the 3rd August, 1939, applied to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council made thereunder, and such portions of the City of Sandringham as are not included in the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

In accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 24th April, 1933, has had 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 on the 3rd August, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PERSONS EMPLOYED IN CONNEXION WITH THE PREPARATION OF RABBITS FOR THE WHOLESALE OR EXPORT TRADE.

(2) Apprentices or Improvers.	Other Employees.																																																										
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Time of Beginning.	Time of Ending.
(3) TIME OF BEGINNING AND ENDING WORK { 6 a.m.	4.30 p.m. on each of the five ordinary working days in the week.
{ 6 a.m.	11.30 a.m. on Saturday.

(4) OVERTIME.—(a) Outside the hours fixed as the time of beginning and ending work .. . } Time and a half, provided that all
 (b) Within the hours fixed as the time of beginning and ending work in } work done after 1 p.m. on Saturday
 excess of four hours on Saturday and eight hours on other days } shall be paid for at double time.

(5) **SPECIAL RATES.**—(a) Double time shall be the special rate for all work done by time workers on Sunday, New Year's Day, Good Friday, 21st April (Labour Day), and Christmas Day; and time and a half for all work done on Australia Day (26th January), Easter Monday, King's Birthday, 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, Good Friday, 21st April (Labour Day), and Christmas Day piece-workers shall be paid double the rates mentioned in clause (14); and for all work done by such workers on Australia Day, Easter Monday, King's Birthday, and Boxing Day, the ordinary rates, plus 50 per cent.

(6) **TIME RATES.**—Any person employed on time wages for less than the number of hours fixed for a 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 33½ 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.

(7) **WAITING TIME.**—Employees (piece workers included) who are required to wait for a longer period than an aggregate of one hour (exclusive of meal hours) per day shall be paid for such excess at the wage rate provided for the class of work done.

(8) **TIME RECORD.**—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.

(9) **UNION INSPECTION.**—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 that such inspection is made between the hours of 8 a.m. and 4.30 p.m. on a working day.

(10) **DINING AND CHANGING ROOM.**—A dining-room, changing-room, adequate washing facilities, and in addition (where facilities are available) hot water for the making of tea shall be provided.

(11) **PREMISES TO BE KEPT CLEAN.**—The employer shall cause all rooms used by employees to be kept reasonably clean, and free from debris.

(12) **MEAL HOUR.**—A period of one hour shall be allowed for breakfast between the hours of 8 a.m. and 9.30 a.m., and also a period of one hour for dinner between the hours of 11.30 a.m. and 1.30 p.m.

(13) **SMOKE OH.**—Employees shall be entitled to a smoke oh period of ten minutes each morning and afternoon.

(14) **PIECE-WORK PRICES.**—The lowest piece-work prices payable to any person engaged in the following kinds of work shall be—

	Within the hours fixed in Clause (3).	Outside the hours fixed in Clause (3).
Skinning rabbits (heads off)	2s. per 100.	3s. per 100.
Skinning rabbits (heads on)	2s. 9d. per 100.	4s. 1½d. per 100. } Plus 6%
Boning rabbits or hares (including washing, weighing, and taking in and out of chamber)	1d. per lb.	
Skinning hares	9s. per 100.	

PERSONS EMPLOYED IN CONNEXION WITH ANY OTHER WORK UNDER THE DETERMINATION.

(15)	Apprentices or Improvers.		Other Employees.		
	Wages per Week of 48 Hours.		Wages per Week of 48 Hours.		
	Males.	Females.		Within the Metropolitan District.	All other parts of Victoria where this Determination applies.
	s.	d.		s.	d.
Under 16 years of age	21	3	Manager (i.e., the principal employee in any shop except a shop in which an owner or partner is working manager)	114	6
16 years of age	28	6	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)	56	6
17 years of age	38	3	Foreman having the supervision of four or more workers ..	104	6
18 years of age	47	6	Shop hands (males) or salesmen	91	6
19 years of age	54	9	Block hands, pluckers, filleters, cleaners, or oyster openers ..	94	6
20 years of age	64	6	Labourers assisting—		
			(a) Wholesale fish salesmen	99	6
			(b) Wholesale poultry salesmen	89	6
			Persons employed grading and/or placing plucked poultry in boxes	94	6
			Females employed—		
			(a) As shop hands	48	3
			(b) At weighing, grading, washing, stamping, branding, or filling cartons, moulds, or boxes of fish or poultry	48	3
			All Others	84	6

PROPORTION.	
MALES.	FEMALES.
<i>Apprentices.</i>	<i>Improvers.</i>
One apprentice to every three or fraction of three workers receiving not less than 84s. 6d. per week of 48 hours.	One improver to every four or fraction of four workers receiving not less than 84s. 6d. per week of 48 hours.
MALES.	FEMALES.
<i>Apprentices.</i>	<i>Improvers.</i>
One apprentice to every three or fraction of three female workers receiving not less than 45s. 6d. per week of 48 hours.	One improver to every three or fraction of three female workers receiving not less than 45s. 6d. per week of 48 hours.

(16) **EMPLOYEES IN FREEZING CHAMBER.**—Notwithstanding the rates provided in Clause (15), 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 of 2s. 5½d. per hour.

(17) TIMES OF BEGINNING AND ENDING WORK—

Persons employed in connexion with—

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

	Time of beginning.	Time of ending.
Friday	6.30 a.m.	9 p.m.
Saturday	6.30 a.m.	1 p.m.
Other days	6.30 a.m.	6.30 p.m.

(b) Packing and processing fish by refrigeration:—

Saturday	8 a.m.	12.30 p.m.
Other days	8 a.m.	8 p.m.

(c) Preparing poultry (other than in retail shops):—

Saturday	7 a.m.	12.30 p.m.
Other days	7 a.m.	7 p.m.

(d) At any work other than work provided for in sub-clauses (a), (b), and (c)

hereof:—		
Saturday	4.30 a.m.	12 noon
Other days	4.30 a.m.	4.30 p.m.

(18) OVERTIME—

Any employee (other than a piece-worker) who works in excess of—

(a) 9 hours on any one day (employees in retail shops excepted)	} Shall be paid for such excess at the rate of time and a half.
(b) 48 hours in any week (excluding any overtime already provided for in sub-clause (a))	
(c) Outside the hours fixed in clause (17)	

(19) SPECIAL RATES.—(a) Double time shall be the special rate for all work done by time workers on Sunday, New Year's Day, Good Friday, 21st April (Labour Day), and Christmas Day; and time and a half for all work done on Australia Day (26th January), Easter Monday, King's Birthday, 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, Good Friday, 21st April (Labour Day), and Christmas Day piece-workers shall be paid double the rates mentioned in clause (32) (a); and for all work done by such workers on Australia Day, Easter Monday, King's Birthday and Boxing Day, the ordinary rates, plus 50 per cent.

(20) TIME RATES.—Any person employed on time wages for less than the number of hours fixed for a 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 33½ 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.

(21) MEAL ALLOWANCE.—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 1s. 6d. as a meal allowance for each day that such extra time is worked. This Clause shall not apply to employees of wholesale fish auctioneers.

(22) MEAL INTERVALS.—(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.

(23) WORK TO BE CONTINUOUS.—The work of employees engaged in the preparation of fish shall with the exception of meal intervals as provided in clause (22) be continuous.

(24) WAITING TIME.—Employees (other than employees working in connexion with the preparation of fish) who are kept waiting before commencing work for a period in excess of two hours shall be paid for such excess at time rates according to the class of work to be done.

(25) LIFTING OF HEAVY BOXES OF FISH.—No employee shall be required to lift unassisted, boxes of fish exceeding 100 lb. in weight.

(26) CLOTHING ALLOWANCE.—Where, in conformity with the custom of the trade or required by law, an employee wears, when at work, a washable outer garment, the laundering of which is not paid for by the employer, such employee shall be paid 1s. 9d. per week in addition to the ordinary rate.

(27) TIME RECORD.—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.

(28) UNION INSPECTION.—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 between the hours of 8 a.m. and 5 p.m. on a working day.

(29) DINING AND CHANGING ROOM.—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.

(30) ANNUAL LEAVE.—Any employee who has been in the service of an employer for a period of not less than twelve months shall be entitled to one week's annual leave without deduction of pay. On completion of each subsequent year's service he or she shall be entitled to a further week's leave (without deduction of pay) but if any such employee leaves or is dismissed before the completion of any such subsequent year he or she shall be entitled to a pro rata term of leave based on one day's leave for each two months or fraction of two months' service. For the purpose of administering this clause, service subsequent to the 24th November, 1938, shall only be counted.

(31) VARIATION OF DETERMINATION.—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.

(32) **PIECE-WORK PRICES.**—The lowest piece-work prices payable to any person engaged in the following kinds of work shall be—

(a) Between the hours of 6 a.m. and 1 p.m. on Saturday, and 6 a.m. and 8 p.m. on any other week day—

(i) Roughing fowls by hand	3½d. per pair
Roughing fowls by machine	3d. per pair
Stumping fowls the same day as they are roughed by hand	3½d. per pair
Stumping fowls, which have been put away overnight, or for a longer period, after being roughed	4d. per pair
Stumping fowls which have been roughed by a machine	4d. per pair
Plucking fowls	7d. per pair
Plucking ducks, where wings are not plucked right out	7½d. per pair
Plucking ducks, where wings are required to be plucked right out	11½d. per pair
Plucking Muscovy drakes (redheads)	1s. 3d. per pair
Plucking turkey hens	8½d. per pair
Plucking turkey cocks	1s. 1d. per pair
Plucking geese	1s. 1d. per pair
Plucking teal	4d. per pair
Plucking black duck	5d. per pair
Plucking blue wing	4d. per pair
Plucking mountain duck	5d. per pair
Plucking pigeons and small birds	3d. per pair
Plucking quail	3d. per pair
Plucking pheasants	7d. per pair
Drawing and trussing fowls or ducks	3d. per pair extra
Drawing and trussing geese	6d. per pair extra
Drawing and trussing turkeys	9d. per pair extra
(ii) *Blooding cuts	9d. per large box
*Splitting cuts	1s. per large box
*Scaling and cleaning salmon	1s. 6d. per large box
*Scaling and cleaning bream, flathead, trout, and all other medium fish	2s. 6d. per large box
*Cleaning garfish, flathead, mullet, and all other very small fish	3s. per large box
*Cleaning whiting	3d. per dozen
*Filleting whiting	6d. per dozen
*Cleaning flounders	3d. per dozen
Trimming shark	6d. per box
Skinning and trimming shark	2s. per box

Plus 18 per cent.

* Including washing.

(b) Outside the hours stated in sub-clause (a) hereof:—The rates provided in clause 32, sub-clause (a) with the addition of 50 per cent.

RAY. H. BEERS, P.M., Chairman.

J. W. RYAN, Secretary.

Melbourne, 7th July, 1939.