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Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 3 (BUTCHERS).

Adjusted pursuant to section 21 of the *Factories and Shops Act* 1934 (No. 4275).

NOTE.—(1) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts, and the Order in Council thereunder, and such portion of the city of Sandringham as is not within the said district; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; the boroughs of Eaglehawk and Sebastopol; and the Moorpanyal and Peak ridings of the shire of Corio.

(2) Butchering and/or Small Goods Making were proclaimed on the 9th October, 1939, as Apprenticeship Trades under the *Apprenticeship Act* 1928 for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne, C.

FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts, and in consequence of the provisions contained in a determination made on the 18th December, 1939, by the Shops Board No. 3 (Butchers), and published in the *Government Gazette* on the 9th January, 1940, hereby issue an adjusted determination showing the adjusted wages rates to be paid to any person or persons or classes of persons employed in the process, trade or business of a butcher or seller of meat, or maker or seller of small goods.

(1) The adjusted rates herein shall be paid as from the beginning of the first pay period to commence in May, 1940.

### (2A) APPRENTICES AND IMPROVERS.

Apprentices and Improvers (other than Carters and Drivers) employed in Abattoirs or Meat Markets within the Metropolitan District and such portion of the city of Sandringham as is not within the said Metropolitan District.

				Apprentices and Improvers not elsewhere included.			
				Apprentices.		Weekly Wage.	
				<i>Five Year Terms.</i>			
				<i>Four Year Terms.</i>		Weekly Wage.	
				£ s. d.			
			Weekly Wage.				
			£ s. d.				
1st year's experience	..	..	1 12 6	First year	..	..	0 15 6
2nd "	"	"	2 2 6	Second year	..	..	1 0 6
3rd "	"	"	2 7 3	Third year	..	..	1 16 6
4th "	"	"	3 6 0	Fourth year	..	..	2 12 0
5th year	..	..	Minimum wage	Fifth year	..	..	3 8 0
PROPORTION (BY ANY EMPLOYER).							
<i>Apprentices.</i>				EMPLOYMENT OF MALE JUNIORS.			
One apprentice to every three or fraction of three workers receiving not less than the minimum wage prescribed by this Determination.				(a) In such portions of the State of Victoria as come within the purview of the Apprenticeship Commission after a probationary period of four months male juniors shall only be employed as apprentices. The periods and conditions of such employment (except wage rates) and the duties and responsibilities of such apprentices and their employers shall be as prescribed by such Commission.			
<i>Improvers.</i>				(b) In all other areas covered by this Determination un-apprenticed juniors may be employed on the following terms:—			
Such number of improvers as shall not, together with apprentices, exceed, in the aggregate, one to every three or fraction of three adult weekly workers receiving not less than the minimum wage.				After a probationary period of six months each junior for a period of at least four years shall be trained to be a general butcher and shall not be dismissed from his employment during such period except for inefficiency or misconduct or in the event of the employer ceasing to carry on business or who for financial reasons becomes unable to employ labour.			

APPRENTICES AND IMPROVERS—continued.

Employed as Carters and Drivers in or in connexion with Abattoirs or Meat Markets in all Areas to which this Determination applies.		Apprentices and Improvers not elsewhere included.	
	Weekly Wage.	The wage rates of unapprenticed junior labour shall be as follows:—	
	£ s. d.		Weekly Wage.
			£ s. d.
IMPROVERS.		First six months' experience	0 15 6
Under 18 years	2 10 0	Second six months' experience	1 0 6
18 years and under 19 years	2 19 3	Second year's experience	1 9 0
19 years and under 20 years	3 5 6	Third year's experience	1 10 6
20 years	Minimum wage	Fourth year's experience	2 17 3
		Fifth year's experience and until reaching the age of 21 years	3 10 0
<p>No carter or driver under 19 years of age shall be allowed to drive or be in charge of more than one horse in the Metropolitan District.                      No carter or driver under 18 years of age shall be allowed to have sole charge of a motor vehicle.</p>			
<p>PROPORTION (BY ANY EMPLOYER).                      One improver to every five drivers receiving not less than the minimum wage.</p>			
<p>PROPORTION OF JUVENILES AND APPRENTICES.                      The number of apprentices or unapprenticed juniors employed in any one shop, whether consisting of a factory only or a shop and factory combined, shall not exceed one to every three or fraction of three adult weekly employees. An employer actually working in the shop or factory shall be treated as an adult for the purpose of this Clause.</p>			

(2B)

OTHER EMPLOYEES.

	Weekly Wage.		
	Within the Metropolitan District and such portion of the city of Sandringham as is not within the said Metropolitan District.	In Ballarat, Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	In the cities of Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the Moorparanyal and Peak Rittings of the Shire of Corio.
	Per week of 44 hours.	Per week of 44 hours.	Per week of 44 hours.
	£ s. d.	£ s. d.	£ s. d.
<b>ABATTOIRS OR MEAT MARKETS.</b>			
Tacklemen	6 1 0	..	..
Slaughtermen	5 12 0	..	..
Head and Feet Boners	4 18 0	..	..
Scalders	4 18 0	..	..
Meat Lumpers	4 15 6	..	..
Offal labourers (including persons handling, or breaking out crown fats from, offals sent to boiling down)	4 12 0	..	..
General labourers	4 9 6	..	..
<b>RETAIL SHOPS.</b>			
Employees in country butchers' shops required to do any slaughtering as herein defined in the slaughter-house associated with such shop for more than 24 hours per week	..	5 5 0	5 8 0
Employee who does slaughtering for 24 hours or less in a slaughterhouse associated with a butcher's shop—	..	5 5 0	5 8 0
Whilst employed on such work	..	..	..
Whilst employed on other work	..	At the rates prescribed for such work.	..
Slaughtermen employed in abattoirs outside the metropolitan area of Melbourne	..	5 15 0	5 18 0
<i>Definition</i> :—"Slaughtering" means and includes taking charge of slaughter yard, penning up, knocking down, pithing, sticking, bleeding, dressing, skinning, necking off, cutting down, hanging back, and washing.	..	..	..
General butchers who in the course of their duties act as shopmen or who are engaged principally cutting for window displays	5 6 0	5 3 0	5 6 0
Other general butchers not called on to serve in shops and including men who cut and deliver meat to customers outside the shop	5 3 0	5 0 0	5 3 0
Ordermen who deliver but do not cut meat	4 10 0	4 7 0	4 10 0
All others	4 8 0	4 5 0	4 8 0
<i>Definition</i> :—"General butcher" means an adult who has served an apprenticeship or has had at least four years' general experience in general butchery and is not exclusively employed in the making of small goods.	..	..	..
<b>SMALL GOODS SECTION.</b>			
Men employed principally on mixing machines	5 6 0	5 3 0	5 6 0
Fillermen	4 19 0	4 16 0	4 19 0
Small goods maker, small goods sellers from cart who collect cash, boners, salters, scalders and cookers	4 18 0	4 15 0	4 18 0
Packing-room hands	4 12 0	4 9 0	4 12 0
Linkers and table hands	4 12 0	4 9 0	4 12 0
All others	4 8 0	4 5 0	4 8 0
<b>CARTERS AND DRIVERS EMPLOYED IN OR IN CONNEXION WITH ABATTOIRS OR MEAT MARKETS.</b>			
	Per week of 48 hours.	Per week of 48 hours.	Per week of 48 hours.
	£ s. d.	£ s. d.	£ s. d.
Drivers of Motor Vehicles—			
Not exceeding 25 cwt. capacity	4 11 6	4 8 6	4 11 6
Exceeding 25 cwt. but not exceeding 3 tons capacity	4 15 6	4 12 6	4 15 6
Exceeding 3 tons capacity	4 19 6	4 16 6	4 19 6
Horse Drivers—			
One horse	4 9 0	4 6 0	4 9 0
Two horses	4 11 6	4 8 6	4 11 6
Three horses	4 13 6	4 10 6	4 13 6
Head stableman (if more than one employed)	4 7 0	4 4 0	4 7 0
Other stablemen or grooms	4 3 0	4 0 0	4 3 0

OTHER EMPLOYEES—continued.

	Weekly Wage.		
	Within the Metropolitan District and such portion of the City of Sandringham as is not within the said Metropolitan District.	In Ballarat, Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	In the cities of Geelong, Geelong West, and Warrambbool; the town of Newtown and Chilwell; and the Moorparryal and Peak Ridings of the Shire of Corio.
<b>CARTERS AND DRIVERS EMPLOYED IN OR IN CONNEXION WITH ABATTOIRS OR MEAT MARKETS—continued.</b>	Per week of 48 hours. £ s. d.	Per week of 48 hours. £ s. d.	Per week of 48 hours. £ s. d.
Drivers who do not cart meat, and who are not required to wear special clothing ..	2s. 6d. per week less than the rate specified	2s. 6d. per week less than the rate specified	2s. 6d. per week less than the rate specified
Drivers who, as part of their duties during the week, are required to collect moneys and account therefor .. .. .	11d. per week in addition to the rate specified	11d. per week in addition to the rate specified	11d. per week in addition to the rate specified
Drivers of loaded motor vehicles, except tractors, drawing a loaded trailer Drivers who, during the day, are engaged in carting blood manure or offensive offal	11d. per day in addition to the rate specified	11d. per day in addition to the rate specified	11d. per day in addition to the rate specified
Drivers who are required to cart meat before 7 a.m. shall be paid as follows:— From 1st May to 31st October .. .. .	8d. per hour in addition to the rate specified	8d. per hour in addition to the rate specified	8d. per hour in addition to the rate specified
From 1st November to 30th April .. .. .	5d. per hour in addition to the rate specified	5d. per hour in addition to the rate specified	5d. per hour in addition to the rate specified
<b>CARTERS AND DRIVERS (NOT ELSEWHERE INCLUDED).</b>	Per week of 44 hours.	Per week of 44 hours.	Per week of 44 hours.
<b>Drivers of Motor Vehicles—</b>			
Not exceeding 25 cwt. capacity .. .. .	4 11 6	4 8 6	4 11 6
Exceeding 25 cwt. but not exceeding 3 tons .. .. .	4 15 6	4 12 6	4 15 6
Exceeding 3 tons capacity .. .. .	4 19 6	4 16 6	4 19 6
<b>Horse Drivers—</b>			
One horse .. .. .	4 9 0	4 6 0	4 9 0
Two horses .. .. .	4 11 6	4 8 6	4 11 6
Three horses .. .. .	4 13 6	4 10 6	4 13 6

**PROVISIONS APPLICABLE TO PERSONS (OTHER THAN MEAT LUMPERS AND CARTERS AND DRIVERS) EMPLOYED IN ABATTOIRS OR MEAT MARKETS WITHIN THE METROPOLITAN DISTRICT AND SUCH PORTION OF THE CITY OF SANDRINGHAM AS IS NOT WITHIN THE SAID METROPOLITAN DISTRICT.**

(3) **WEEK'S WORK FOR SLAUGHTERMEN.**—The maximum amount of work to be done by slaughtermen in any week shall be—

Sheep and/or Lambs.		Beef.	
During July, August, September and October.		Other Months.	
Woolly Sheep.	Other Sheep and/or Lambs (including Ram Lambs).	Sheep and/or Lambs (including Lamb Lambs).	Carcasses.
324 with a maximum of 70 per day, on Monday to Friday inclusive and 24 on Saturday	346 with a maximum of 75 per day on Monday to Friday inclusive and 26 on Saturday	346 with a maximum of 75 per day on Monday to Friday inclusive and 26 on Saturday	54 with a maximum of 12 per day on Monday to Friday inclusive and 4 on Saturday
			Provided that the daily quota of beef carcasses where men work in a team shall be ascertained by dividing the number of carcasses slaughtered by the number of men in the team

Where on any day a slaughterman is engaged in mixed killing, he shall not exceed the equivalent of twelve beef carcasses on the basis that one beef carcass equals six woolly sheep or six and one third other sheep and/or lambs (including ram lambs).

A slaughterman's work shall consist of sticking down, taking out neck sweetbreads (if any), taking off the skin, taking out offal, wiping up the carcass, and hanging, all in a workmanlike manner.

Time taken off for collecting pay shall not affect the day's tally.

(4) **HOURS.**—The number of hours to constitute an ordinary week's work shall be 44.

The hours of work on any day shall be continuous except for a meal interval which shall be allowed between the hours of 12 noon and 1 p.m. on Monday to Friday inclusive.

(5) **TERMS OF ENGAGEMENT.**—All employees (other than casuals) shall be paid the full weekly wage fixed herein irrespective of the hours worked not exceeding the weekly hours fixed.

(6) **EMPLOYEE'S WEEK.**—When any employee is engaged for a week's work, each week shall commence from the day on which he is engaged.

(7) TIMES OF BEGINNING AND ENDING WORK—

	Time of beginning.	Time of ending.
Slaughtermen—	{ 7.30 a.m. . . . .	4.40 p.m., Monday to Friday inclusive.
	{ 7.30 a.m. . . . .	10.40 a.m., Saturday.
All other persons—	{ 7.30 a.m. . . . .	5 p.m., Monday to Friday inclusive.
	{ 7.30 a.m. . . . .	11 a.m., Saturday.

(8) OVERTIME.—The following rate shall be paid for overtime :—  
 Within the hours fixed as the times of beginning and ending work in excess of 44 hours in any week } Time and a half.  
 Outside the hours fixed as the times of beginning and ending work . . . . . }

(9) CASUAL LABOUR.—Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid the following rates :—  
 Slaughtermen . . . . . 26s. per day (Monday to Friday inclusive) and 13s. on Saturday.  
 Labourers . . . . . 18s. per day.

(10) PAYMENT FOR HOLIDAYS.—Employees (other than casual employees) shall be entitled to the following holidays without deduction of pay :—  
 Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Cup Day, and Butchers Picnic Day.

(11) SPECIAL RATE FOR SUNDAY AND HOLIDAYS.—Double time shall be the special rate payable for all work done on Sunday and the holidays mentioned in Clause 10, but if any other day be by Act of Parliament or Proclamation substituted for any of such holidays, the special rate shall be payable only for work done on the day so substituted.

(12) NOTICE TO WORK ON HOLIDAYS.—Except in the case of unavoidable accident or emergency, three days' notice shall be given to an employee who is required to work on a holiday prescribed in this Determination.

(13) SMOKE INTERVAL.—All employees shall be allowed twenty minutes smoke each forenoon and afternoon without deduction of pay.

(14) PAYMENT OF WAGES.—Wages shall be paid not later than Friday in each week, and must be paid during working hours.

(15) TERMINATION OF EMPLOYMENT.—Except in a case where an employee is inefficient or has been guilty of a misdemeanor or seven days' notice of termination of employment shall be given by either employer or employee.  
 Provided that this clause shall not apply to tacklemen, slaughtermen, or labourers.

(16) STOP WORK MEETINGS.—No stop work meetings shall be held by employees during working hours. If, in contravention of this clause, a stop work meeting should be held, the pay for the time lost may be deducted.

(17) TIME BOOK FOR SLAUGHTERMEN.—Every slaughterman shall indelibly record daily his correct times of beginning and ending work, also the daily tally of work performed by him in a book which shall be furnished by the employer. Such time book shall be produced for inspection during reasonable hours to the Secretary of the Australasian Meat Industry Employees' Union or any official thereof duly authorized in writing by the President and Secretary of the local branch or sub-branch of the Union.

(18) TREATMENT OF INJURED STOCK.—

(a) The employer shall have power to call on slaughtermen during the following periods to kill stock that require immediate treatment, viz. :—During smoke intervals, between 12 and 1 p.m., and after 5 p.m. on week days, and after 11 a.m. on Saturdays. Stock killed during such periods are to be considered extra to the day's tally, and shall be paid for at one and a half times the ordinary rates.

(b) Where a watchman is employed, he shall be able during his period of watch, but not during the hours when slaughtering operations are being carried on, to kill and dress any injured or crippled sheep or lambs that may require attention.

**PROVISIONS APPLICABLE TO MEAT LUMPERS EMPLOYED WITHIN THE METROPOLITAN DISTRICT AND SUCH PORTION OF THE CITY OF SANDRINGHAM AS IS NOT WITHIN THE SAID METROPOLITAN DISTRICT.**

(19) Hours.—(a) The market trading hours at the Meat Market are as follows :—

Monday . . . . .	5 a.m. to 1 p.m.
Tuesday . . . . .	4.30 a.m. to 1 p.m.
Wednesday . . . . .	5 a.m. to 12 noon.
Thursday . . . . .	4.30 a.m. to 1 p.m.
Friday . . . . .	4.30 a.m. to 4 p.m.
Saturday . . . . .	6 a.m. to 10 a.m.

(b) When an employee is available for work during the meat trading hours, such hours shall be accounted as hours worked by him.

All work done in excess of nine hours on Monday to Thursday inclusive, and in excess of nine and a half hours on Friday, and in excess of four hours on Saturday, and in excess of 44 hours in any one week, shall be paid for at overtime rates, provided that a meat lumpers who starts work at or after 8 a.m. and is employed during the afternoon shall not come under the provisions of the first and second paragraphs of this clause, and he shall be paid at overtime rates for all work done in excess of nine hours on Monday to Friday inclusive or in excess of four hours on Saturday or in excess of 44 hours in any one week.

(c) One hour shall be allowed each day for a meal between 8 a.m. and 10 a.m., and on Friday one hour also between noon and 2 p.m., but for the meat lumpers who commences work at 8 a.m., the hour shall be between 12 noon and 2 p.m.

(d) Hours of duty shall be continuous except for meals.

(e) No employee shall be required to work for a longer period than five hours without a suitable interval for a meal.

(20) WEEKLY ENGAGEMENT.—Except in the case of casual employees all employment shall be by the week. Employees to become entitled to payment on a weekly basis shall perform such work as the management shall from time to time require on the days and during the hours usually worked by the class of employees affected.

Any employee not attending for duty shall lose his pay for the actual time of such non-attendance unless he produces or forwards within twenty-four hours of the commencement of such absence, satisfactory evidence to the management that his non-attendance was due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence. Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health for more than six days in each year.

Employment shall be terminated only by a week's notice on either side, such notice to be given at any time during the week. This shall not affect the right of the management to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, in which case wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot be reasonably held responsible.

(21) OVERTIME.—(a) If required for duty on any holiday, half-holiday, Saturday afternoon or Sunday, all employees shall be entitled to pay at double the ordinary rate per day.

(b) If required for duty on other days beyond the hours per day prescribed, all employees shall be entitled to pay at the rate of time and a half.

(c) Where overtime has been earned by an employee for working after the number of hours prescribed as a day's work, such overtime shall be paid to him in addition to his weekly wage but the hours on which overtime has been earned shall not be counted in computing the working hours of the week.

(22) PAY DAY.—Wages shall be paid not later than Friday in each week in the employer's time.

(23) GENERAL CONDITIONS OF EMPLOYMENT.—All employers shall keep a time and wages book in which shall be entered the names of all employees, the hours worked and the wages received. Such book shall be open for inspection during reasonable hours by the Secretary of the Australasian Meat Industry Employees Union.

**PROVISIONS APPLICABLE TO CARTERS AND DRIVERS EMPLOYED IN CONNEXION WITH ABATTOIRS AND MEAT MARKETS IN ALL AREAS TO WHICH THIS DETERMINATION APPLIES.**

(24) **HOURS OF WORK.**—The hours of duty of employees shall not (without payment for overtime) exceed 48 hours per week, and the daily hours shall not (without payment for overtime) exceed 9 hours 40 minutes on Monday to Friday, and 6 hours on Saturday.

Except as provided by Clause 2 (B) and except in the case of stablemen and grooms, such daily hours shall be worked between 7 a.m. and 6 p.m. on Monday to Friday, and 7 a.m. and 1 p.m. on Saturday.

The hours of duty on any day shall be continuous except for meal intervals.

No employee shall be required to work for a longer period than five hours without a suitable interval for a meal.

(25) **OVERTIME.**—All time worked in excess of 9 hours 40 minutes on Monday to Friday, and in excess of 6 hours on Saturday, or in excess of 48 hours per week, shall be paid for at the rate of time and a half.

(26) **WEEKLY ENGAGEMENT.**—Except in the case of casual employees, all employment shall be by the week. Employees to become entitled to payment on a weekly basis shall perform such work as the management shall from time to time require on the days and during the hours specified.

Any weekly employee not attending for duty shall lose his pay for the actual time of such non-attendance, unless 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 accident arising out of and in the course of his employment or to personal ill-health necessitating such absence.

Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health or both for more than six days in each year.

Employment shall be terminated only by a week's notice on either side, such notice to be given at any time during the week. This shall not affect the right of the management to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, in which case wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot be reasonably held responsible.

(27) **CASUAL EMPLOYEES.**—Casual employees (i.e. persons employed during any week for not more than one-half the maximum number of hours fixed as a week's work) shall be paid one-sixth of the weekly wage for the class of work they perform, plus 2s. for each day or part of a day on which they are employed.

Where a casual employee is required to perform more than one kind of function on any one day, he shall be paid for the whole day at the highest rate prescribed for any of the functions.

(28) **HOLIDAYS.**—Employees, other than casuals, shall be entitled to the following holidays without deduction of pay:—

Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday and Butchers' Picnic Day.

Provided that within the Metropolitan District, Cup Day shall be observed as a holiday in lieu of King's Birthday.

(29) **SUNDAY AND HOLIDAY RATES.**—(a) Except as hereinafter provided, all time of duty on Sunday and Public Holidays herein prescribed shall be paid for at the rate of double time, that is two days' pay on Sunday, and one day's pay on public holidays in addition to the weekly wage.

(b) Stablemen and grooms, part of whose duties are to feed and attend to horses every day, shall not be entitled to any extra pay for working on Sunday if they are allowed one clear day's rest in seven. If they work on seven days in one week they shall be entitled to Sunday rates for work done on Sunday.

Stablemen and grooms shall not be entitled to any extra pay for work done on public holidays if engaged in the performance of their ordinary duties.

Stablemen and grooms who are required to work continuously seven days in the week shall be allowed one week's holiday on full pay at the expiration of each twelve months' service.

(c) Drivers who are required to be on duty on Sunday to feed and attend to horses where the employer does not employ any stablemen, shall be paid for such Sunday work at the ordinary rate paid for the other six days of the week.

(30) **NOTICE TO WORK ON HOLIDAYS.**—Except in the case of unavoidable accident or emergency, three days' notice shall be given to an employee required to work on a public holiday prescribed in this Determination.

(31) **MIXED FUNCTIONS.**—Where an employee performs on any day functions of a mixed character, he shall be paid for that day at the rate applicable to the function for which the highest rate is payable.

(32) **PAYMENT OF WAGES.**—Wages shall be paid not later than Friday in each week in the employer's time.

**PROVISIONS APPLICABLE TO ALL OTHER PERSONS.**

(33) **HOURS OF LABOUR.**—(1) In retail butchers' shops and small goods factories the ordinary working hours shall not exceed in number 44 per week.

(2) No time worked on a Sunday shall be reckoned as part of such ordinary hours.

(3) (i) Each daily period of work comprised in such ordinary working hours shall be unbroken except by prescribed meal intervals.

(ii) No such daily period of work shall exceed in duration nine hours exclusive of prescribed meal intervals.

(iii) Such daily periods of work shall be so arranged that on at least one day in each week the employee concerned shall finish his ordinary hours of work not later than 12.30 p.m.

(4) No time worked before 6 a.m. or after 8 p.m. shall be reckoned as part of such ordinary hours.

(5) (i) Subject to compliance with the foregoing provisions and with those hereinafter contained the employer may for any of his employees fix each day's starting and finishing times of ordinary hours of work (inclusive of special starting and finishing times for any day next preceding a public holiday observed by him for the employee concerned).

(ii) The employer shall state such times in advance in a notice posted in his establishment so as to be readily accessible and visible to the employee concerned.

(iii) The employer may from time to time substitute other starting and finishing times if not less than a week in advance of the substituted times he states such times in a notice posted so as to be visible to the employee concerned together with the next previous notice concerning such times.

(iv) Every fixation of starting and finishing times shall be made in respect of a period which shall not be less than a week in length.

(34) **MEAL INTERVALS.**—(a) Employees shall be granted one hour for lunch on a full working day between noon and 2 p.m.

(b) Employees called upon to start work before 7 a.m. shall be allowed one hour for breakfast to commence before 10 a.m.

(c) Meal intervals where allowed shall not be counted as part of the daily or weekly hours worked.

(35) **OVERTIME.**—All time worked—

(a) In excess of 44 hours per week; or

(b) In excess of 9 hours on five days of the week and 5½ hours on the day on which the ordinary hours of work are fixed to finish not later than 12.30 p.m.; or

(c) Before the fixed starting time or after the fixed finishing time—

shall be paid for at overtime rate namely time and a half.

No employee shall be called upon to work overtime after 7 p.m. without a break of one hour or payment of 2s. tea money.

(36) **SPECIAL RATES AND ALLOWANCES.**—Where an employee is temporarily transferred during working hours from one shop or factory to another the employer shall pay such employee all costs of transit and travelling time.

(37) HOLIDAYS.—(a) The following days or the days observed in lieu thereof except for the unavoidable delivery of small goods shall be holidays and shall be paid for as though worked—

New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Christmas Day, Boxing Day, and Union Picnic Day.

For work done in the delivery of small goods on these days, time and a half rates shall be paid after 9.30 a.m., but on Good Friday after 11.30 a.m.

(b) In the Metropolitan District, Melbourne Cup Day shall be observed as a holiday instead of King's Birthday.

(c) On any such holidays except Christmas Day, Anzac Day and Union Picnic Day, employees except those engaged in the making of small goods if required shall work without extra payment for not more than two hours, but on Good Friday for not more than four hours.

(d) If an employee is dismissed within fourteen days before any of the holidays above mentioned and is re-engaged within fourteen days after any of the holidays above mentioned he shall be deemed to have been dismissed for the purpose of evading payment for such holidays and any payment so evaded shall be due and payable to the employee.

(e) For any work done on holidays except as provided in the preceding sub-clause of this clause, double time shall be paid.

(38) SUNDAY WORK.—All work performed on Sundays except attention to horses or other live stock shall be paid for at double rates. For attention to horses or other live stock on Sundays ordinary rates shall be paid.

(39) PAYMENT OF WAGES.—(a) Wages due under this Determination to a weekly employee shall be paid in cash not later than Thursday in each week.

(b) Employers may, if they so desire, keep two days' pay in hand.

(c) Where the services of an employee are dispensed with all wages owing to him shall be paid to him on the day of dismissal.

(d) Wages due under this Determination to a casual employee shall be paid immediately on the termination of work on each day on which he is engaged.

(40) TIME BOOKS.—(a) Each employer at each place at which he carries on business under this Determination shall provide at time book or time sheet in which each day's hours of work of each employee shall be entered (including overtime, if any), and the wages received each week; such entries shall, at least once a week, be vouched for by the signature of the employer or his representative.

(b) The time book or time sheet so entered and vouched for if countersigned by an employee representing the Union of employees shall be evidence of the time actually worked by an employee for all purposes under this Determination including overtime.

(c) The time book or time sheet shall, on demand, be produced by the employer for inspection at the place where it is kept at any time between 10 a.m. and 4 p.m. Monday to Thursday inclusive and between 10 a.m. and 1 p.m. on Friday to an official of the Australasian Meat Industry Employees' Union who has been authorized, in writing, to inspect the same by the General Secretary or the Secretary of a State Branch of the said Union; or to an official of the Master Butchers' Meat and Allied Trades' Federation of Australia who has been authorized, in writing, to inspect the same by the General Secretary or the Secretary of a State Branch of the said Federation.

(d) An inspection shall not be demanded unless the Secretary of the Union or Federation or the District Secretary or Organizer of any division of the Union or Federation suspects that a breach of this Determination is being or has been committed.

(e) Only one demand for such inspection shall be made in any one fortnight at the same establishment and no inspection shall be demanded on a Saturday.

(f) The official making an inspection shall be entitled to take a copy of entries in the time book or time sheet relating to the suspected breach of this Determination.

(41) RIGHT OF ENTRY.—A duly accredited representative of the Australasian Meat Industry Employees' Union shall have the right to enter employers' premises during the meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:—

(a) That he produces his authority to the manager or such other person as may be appointed by the employer;

(b) That he interviews employees only at the place where they are taking their meal;

(c) That not more than one representative visit the premises at any one time;

(d) That not more than one representative visit the same premises more than once in a week;

(e) That if any employer alleges that a representative is unduly interfering with his business or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions such employer may refuse the right of entry.

(42) ENGAGEMENT.—(a) Except in casual employment, all employment shall be by the week. An employee, to become entitled to payment on a weekly basis, shall 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 employee affected.

(b) Employment other than casual shall be terminated only by a week's notice on either side, and such notice may be given at any time during the week. This shall not affect the right of an employer to dismiss an employee without notice for malingering, inefficiency, neglect of duty or misconduct, in which case wages shall be paid up to the time of dismissal only, or to deduct payment for any day on which an employee cannot be usefully employed because of any strike or through any breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) An employee not attending for duty shall lose his pay for the actual time of such non-attendance unless he produces or forwards to his employer, within twenty-four hours of the commencement of such absence, evidence satisfactory to the employer that his non-attendance is due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence.

Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health, or both, for more than six days in each year. An employer may by agreement with any employee grant such employee a clear week's holiday on full pay in lieu of payment for absences through sickness.

For the purposes of this clause the period between the coming into operation of this clause and the first day of July, 1940, shall constitute a year and thereafter each year shall commence on the first day of July.

(43) CASUAL EMPLOYEES.—(a) A casual employee, that is, an employee who is not employed for a full week, shall be paid one-sixth of the weekly wage prescribed in this Determination for the class of work he performs, plus 10 per cent. of such one-sixth for each day or part of a day on which he is employed. For time worked in excess of 8 hours on any one day, time and a half rates shall be paid.

(b) Where a casual employee is required to perform more than one class of work on any one day, he shall be paid for the whole of that day at the highest wage prescribed in this Determination for any of the work which he performs.

(c) In addition to the rate payable under sub-clause (a) hereof casual employees shall be paid all fares above 4d. per day reasonably and necessarily incurred.

(44) MIXED FUNCTIONS.—Where an employee performs on any day functions of a mixed character he shall be paid for that day the wage rate applicable to the function for which the highest rate is payable.

(45) MISCELLANEOUS PROVISIONS.—(a) The employer shall provide boiling water for the use of employees at meal times.

(b) First-aid appliances and requisites shall be provided free of cost by employers for the use of employees meeting with injuries while on duty.

(c) The employer shall provide for his employees reasonable facilities for the taking of meals and changing clothes.

(46) POSTING DETERMINATION.—A copy of this Determination shall be posted up by the employer in a conspicuous place accessible to all employees.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 23rd April, 1940.

By Authority: T. RIDER, Government Printer, Melbourne.