



VICTORIA GOVERNMENT GAZETTE.

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No. 42]

FRIDAY, FEBRUARY 16.

[1940

Factories and Shops Acts.

DETERMINATION OF THE HAM AND BACON CURERS BOARD.

NOTE.—This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed either inside or outside a factory or work-room in the process, trade, or business of a ham and bacon curer," has made the following Determination, namely:—

(1) That on the 21st February, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

IMPROVERS.

		Wages.		s. d.	
First six months' experience	15	6
Second six months' experience	20	6
Second year's experience	29	0
Third year's experience	39	6
Fourth year's experience	57	0
Fifth year's experience and until reaching the age of 21 years	70	0

Proportion (in any place)—

The number of improvers employed in any one ham and bacon establishment shall not exceed one to every three or fraction of three adult weekly employees. An employer actually working in a factory shall be treated as an adult for the purpose of this Clause.

(3)

OTHER EMPLOYEES.

		Wages.		£ s. d.	
<i>(a) Other than Small Goods Section—</i>					
Leading hands in the slaughtering and curing departments	5	7 0
General assistants in the slaughtering department, cutter-up, rollers, bacon trimmers and leading hands in the lard and tallow department	4	19 6
First assistant in the curing department	4	19 6
Other assistants in the curing department	4	14 6
Employees in the lard and tallow department, gut runners, smoke fillers, smoke room and drying room employees, packers, washers of hams and bacon and ham baggers	4	12 6
Yardmen { For 48 hours per week	4	16 0
{ For 44 hours per week	4	10 0
All others	4	9 6
<i>(b) Small Goods Section—</i>					
Men employed principally on mixing machines	5	5 0
Filler-men	4	18 0
Small goods makers, small goods sellers, from cart who collect cash, boners, salters, scalders and cookers	4	17 0
Packing room hands	4	11 0
Linkers and table hands	4	11 0
Yardmen { For 48 hours per week	4	16 0
{ For 44 hours per week	4	10 0
All others	4	7 0

(4) **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 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.

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

(6) **HOURS OF LABOUR.**—The ordinary hours of employment in ham and bacon factories shall be 44 per week, to be worked in five days of eight hours and one day (Saturday) of four hours, or five days of eight hours forty-eight minutes each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday. Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employees.

(7) **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.

(8) **OVERTIME.**—All time worked :—

(a) In excess of 44 hours per week ;

(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.

(9) **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, Eight Hours 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 Melbourne, 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-clauses of this clause double time shall be paid.

(10) **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.

(11) **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.

(e) By agreement with their employees country bacon factories may pay wages fortnightly on Friday nights.

(12) **TIME BOOKS.**—(a) Each employer at each place at which he carries on business under this Determination shall provide a 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.

(13) **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 visits the premises at any one time ;

(d) that not more than one representative visits the same premises more than once in a week ; and

(e) that if any employer allege 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.

(14) **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.

(e) 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 an 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 1st day of July.

(15) 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.

(16) LEAVE TO ATTEND UNION BUSINESS.—Leave of absence from work to attend any Union business shall be allowed by the employer to any employee member of the Australasian Meat Industry Employees' Union named by such Union, provided fair and reasonable notice is given to the employer. Provided also that such leave shall be restricted to one employee at a time in the employment of any one employer and such employee shall not be entitled to payment for the time he is so absent from his employment.

(17) 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 of clothes.

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

(19) PERIODICAL ADJUSTMENT OF WAGES.—The wages rate set out in Clauses (3) (a) and (b) are based upon the following basic wages and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of improvers above 21s. shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d. half or less than half of 6d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in Clause (20).

BASIC WAGE.

Place.	Basic Wage.		Additional Constant Loading.	Index No. Set Assigned.
	£	s. d.		
Within the area to which this Determination applies	3	15 0	6 0	Five towns Victoria

(20) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in May, 1940, the amount of the basic wage shall be as prescribed in Clause (19).

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied to a place is that assigned to Five Towns Victoria.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period plus the additional constant loading as prescribed in Clause (19).

Index Number Divisions.		Basic Wage.		Index Number Divisions.		Basic Wage.	
		£	s. d.			£	s. d.
797-808	.. .. .	3	5 0	896-907	.. .. .	3	13 0
809-820	.. .. .	3	6 0	908-919	.. .. .	3	14 0
821-833	.. .. .	3	7 0	920-932	.. .. .	3	15 0
834-845	.. .. .	3	8 0	933-944	.. .. .	3	16 0
846-858	.. .. .	3	9 0	945-956	.. .. .	3	17 0
859-870	.. .. .	3	10 0	957-969	.. .. .	3	18 0
871-882	.. .. .	3	11 0	970-981	.. .. .	3	19 0
883-895	.. .. .	3	12 0	982-993	.. .. .	4	6 0

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

Melbourne, 6th February, 1940.

D. B. MORGAN, Secretary.

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The overtime rate for shift workers shall not apply to arrangements between employees themselves or in cases due to rotation of shifts or when the relief does not come on duty at the proper time. Provided that where not less than eight hours' notice has been given to the employer by the employee that he will be absent from work, and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

(5) **TRAVELLING TIME ALLOWANCE.**—The following additional rate shall be paid to any person employed under this Determination—10d. per day or portion of a day.

Employees of Sewerage Authorities other than the Melbourne and Metropolitan Board of Works are exempted from the provisions of this clause unless they reside more than half a mile from Sewage Treatment Works.

(6) **BICYCLE ALLOWANCE.**—Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance at the rate of 3s. 6d. per week for such period as the bicycle is used in the manner directed.

(7) **FAILING TO NOTIFY EMPLOYEES.**—If any employee on shift work, or any other daily, weekly or nightly work is not informed before he leaves the job at the end of his shift or day that he is not required to work on the next shift, or day, or night, and such employee attends on the next shift, or on the next day or night, and he is not put to any other work, he shall be paid for four hours for that shift, day or night not worked.

Provided that this clause shall not apply in the case of an employee for whom other suitable work is provided.

(8) **EMPLOYEE RECALLED TO WORK.**—When an employee is recalled to work by direction after leaving the job, or after having completed a full shift or day's work, he shall be paid for a minimum of three hours at the prescribed rates.

(9) **WET PLACES.**—Any employee who in the course of his duty, is compelled to walk in sewage effluent, or in water more than two inches deep, shall be paid an additional 2s. per week.

Provided that this clause shall not apply in the case of an employee who is provided with efficient waterproof boots by and at the expense of the employer.

(10) **WATERPROOF COATS.**—Suitable waterproof coats shall be provided by, and at the expense of the employer to employees engaged in work performed in wet weather, and/or wet places.

(11) **SICK LEAVE.**—Any employee not attending duty shall lose his pay for the actual time of non-attendance, unless he produces or forwards to the management within twenty-four hours of the beginning of his absence, satisfactory evidence that his non-attendance was due to personal ill health, sufficient to incapacitate him for his usual work.

An employee shall not be entitled to payment for non-attendance on the ground of ill health for more than six days in each year.

(12) **HOLIDAYS.**—All employees shall be entitled to the nine holidays hereinafter mentioned without deduction of pay:—New Year's Day, Labor Day, Good Friday, Easter Saturday, 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 rate of pay for such day, two days holiday in lieu thereof on full pay.

(13) **DEFINITION OF YEAR.**—For the purpose of this Determination "year" shall mean calendar year.

(14) **PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage.

The basic wage shown hereunder shall be adjusted as prescribed in clause (15).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 3 15 0	Melbourne

(15) **ADJUSTMENT OF BASIC WAGE.**

(a) Until the beginning of the first pay period to commence in May, 1940, the amount of the basic wage shall be as prescribed in clause (14).

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November or a February, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

(1) The index number set to be applied is that assigned to Melbourne.

(2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.

(3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.

(4) The basic wage shall be of that assigned amount during such successive period.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
735-746	3 0 0	871-882	3 11 0
747-759	3 1 0	883-895	3 12 0
760-771	3 2 0	896-907	3 13 0
772-783	3 3 0	908-919	3 14 0
784-796	3 4 0	920-932	3 15 0
797-808	3 5 0	933-944	3 16 0
809-820	3 6 0	945-956	3 17 0
821-833	3 7 0	957-969	3 18 0
834-845	3 8 0	970-981	3 19 0
846-858	3 9 0	982-993	4 0 0
859-870	3 10 0		

D. GRANT, Chairman.

GEO. PARR, Secretary.

Melbourne, 2nd February, 1940.



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No. 44]

FRIDAY, FEBRUARY 16.

[1940

Factories and Shops Acts.

DETERMINATION OF THE QUARRY BOARD.

NOTE.—This Determination 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 13th October, 1934, has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of person employed in—

- (1) the process, trade or business of quarrying not including agriculture;
- (2) (a) carting or driving, or assisting in carting or driving in connexion with or incidental to the trade or business of quarrying (not including agriculture);
- (b) the trade of crushing stone;

has made the following determination, namely:—

(1) That on the 17th February, 1940, the adjusted Determination of this Board which came into force as from the beginning of the first pay period to commence in December, 1939, shall be revoked and replaced by this Determination.

(2)

Apprentices.	Improvers.	Other Employees.	Day Shift.		Afternoon or Night Shift.		Hours Per Week.
			Wages.		Wages.		
			Per Hour.	Per Week.	Per Hour.	Per Week.	
	CARTING AND DRIVING.		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	
Wages. Per Week.*	Wages. Per Week of 48 Hours. <i>s. d.</i>	Powder monkey† ..	2 6 ⁶ / ₁₁	112 0	3 2 ² / ₁₁	140 0	44
		Assistant powder monkey†	2 3 ¹⁰ / ₂₂	101 6	2 10 ⁷ / ₁₁	127 0	44
		Hammerman ..					
		Dresser of pitchers or cubes or Scabblers	2 4 ¹⁰ / ₁₁	106 0	3 0 ¹⁵ / ₄₄	133 3	44
1st year ..	Under 18 years ..	Spaller ..	2 3	99 0	2 9 ²¹ / ₂₂	124 6	44
2nd ..	18 and under 19 years	Faceman ..	2 3 ⁹ / ₁₁	102 0	2 10 ¹⁷ / ₂₂	127 6	44
3rd ..	19 .. 20 ..	Feeder of a stone crushing machine ..	2 3	99 0	2 9 ²¹ / ₂₂	124 6	44
	20 .. 21 ..	Dust hole men ..	2 3	99 0	2 9 ²¹ / ₂₂	124 6	44
And thereafter the minimum wage.	21 .. 22 ..	Persons boring holes by hand or machine ..	2 3	99 0	2 9 ²¹ / ₂₂	124 6	44
		Blacksmith ..	2 3 ⁵ / ₁₁	101 0	2 10 ¹ / ₂	126 6	44
		Tool sharpener ..	2 3 ⁶ / ₁₁	101 0	2 10 ¹ / ₂	126 6	44
	ALL OTHER IMPROVERS.	Carters or drivers driving—					
Wages. Per Week of 44 Hours. <i>s. d.</i>	Wages. Per Week of 44 Hours. <i>s. d.</i>	One horse ..	1 11 ¹ / ₂	94 0	2 5 ⁵ / ₁₆	117 3	48
		Two horses ..	2 0 ¹ / ₂	99 0	2 6 ¹ / ₂	123 6	48
		Three horses ..	2 1 ¹ / ₂	103 0	2 8	128 0	48
		Four or five horses ..	2 2 ¹ / ₂	105 0	2 8 ¹ / ₂	130 0	48
		And 6d. extra per day for each additional horse.					
		Drivers of motor vehicles of the following carrying capacity—					
		Not exceeding 25 cwt.	1 10 ¹ / ₂	90 0	2 4 ¹ / ₂	114 6	48
		Exceeding 25 cwt., but not exceeding 3 tons	1 10 ¹² / ₁₆	91 3	2 5 ¹ / ₁₆	116 3	48
		Exceeding 3 tons ..	2 0 ¹ / ₁₆	96 3	2 6 ¹¹ / ₁₆	122 9	48
		All others ..	2 0 ⁶ / ₁₁	90 0	2 6 ¹⁰ / ₄₄	113 3	44
		† See clause 7 re definition					
		‡ See clause 8 re definition					
	(A) Where a working crane is in operation for the production of pitchers or building stone:—						
	One improver to every three or fraction of three workers receiving not less than 102s. per week of 44 hours.						
	(B) Where Spall Quarrying is carried on:—						
	One improver to every twenty or fraction of twenty workers receiving not less than 90s. per week of 44 hours.						

Where an employee is working in water, he shall, in addition to the ordinary rate, be paid 1s. per day or portion of a day extra.

Pitcher kerb	Knocking Out and Dressing.	2½d. per lineal foot.
Kerbing stones—Hammer dressed—		
12 inches deep × 6 inches to 12 inches wide, not exceeding 5 feet in length	4d. " "	
All radial stone	8d. " "	
Building stone up to 12 inches × 12 inches, not exceeding 7 feet in length	6d. " "	
All stone over 12 inches × 12 inches, not exceeding the cubical content of 15 cubic feet	6d. per cubic foot.	
All stone exceeding the cubical content of 15 cubic feet	9d. " "	
	When the material is removed in a Wheelbarrow to a distance of more than 50 yards.	In all other cases.
	Per superficial yard.	Per superficial yard.
Stripping—	s. d.	s. d.
Not exceeding 18 inches in depth	2 0	1 11
Exceeding 18 inches, but not exceeding 30 inches in depth	2 1	2 0
	Per cubic yard.	Per cubic yard.
Exceeding 30 inches in depth	2 2½	2 1½
Spalling, but not including spalls produced on the banker from cut stone or pitchers	2s. 1½d. per cubic yard.	

PERIODICAL ADJUSTMENT OF WAGES.

(16) The wages rates set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that proportionate adjustments to the rates for apprentices and improvers and to the piecework prices shall be made at the same time as follows:—

(a) The rates for apprentices and improvers to the nearest 3d., half or less than half of 3d. to be disregarded.

(b) The piecework prices as set out in clause (15) to the nearest penny.

The basic wage shown hereunder shall be adjusted as prescribed in clause (17).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 3 15 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

(17) (a) Until the beginning of the first pay period to commence in May, 1940, the amount of the basic wage shall be as prescribed in clause (16).

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period.

Table.

Index Number Divisions.	Basic Wage,
	£ s. d.
735-746	3 0 0
747-759	3 1 0
760-771	3 2 0
772-783	3 3 0
784-796	3 4 0
797-808	3 5 0
809-820	3 6 0
821-833	3 7 0
834-845	3 8 0
846-858	3 9 0
859-870	3 10 0
871-882	3 11 0
883-895	3 12 0
896-907	3 13 0
908-919	3 14 0
920-932	3 15 0
933-944	3 16 0
945-956	3 17 0
957-969	3 18 0
970-981	3 19 0
982-993	4 0 0

D. GRANT, Chairman.

GEO. E. PARR, Secretary.

Melbourne, 2nd February, 1940.

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FRIDAY, FEBRUARY 16.

[1940

Factories and Shops Acts.

DETERMINATION OF THE GROCERS' SUNDRIES BOARD.

NOTE.—This Determination 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 13th November, 1939, 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, cocoa, 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;
- (d) making soap, washing soda, candles, or starch;
- (e) manufacturing or preparing honey; and
- (f) Preparing for trade or sale, peanuts or other edible nuts or the products of peanuts or other edible nuts except when such work is subject to the Determination of any Wages Board heretofore appointed"—

has made the following Determination, namely:—

(1) That on the 22nd February, 1940, the last previous determination of this Board shall be revoked and replaced by this Determination.

(2)

APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 44 HOURS.	Males.		Girls.		PROPORTION (within any factory or place).	
	s.	d.	s.	d.	Apprentices.	Improvers.
Under 16 years	..	22 0	..	19 6	<p><i>Grocers' Sundries, Polish, Soap and Soda, or Starch Sections, and other Sections not elsewhere included.</i></p> <p>One male apprentice to every three or fraction of three male workers receiving not less than 8s. per week of 44 hours.</p> <p>One girl apprentice to every three or fraction of three women workers receiving not less than 42s. 6d. per week of 44 hours.</p> <p style="text-align: center;"><i>Candle Section.</i></p> <p>One apprentice to every three or fraction of three workers receiving not less than 42s. 6d. per week of 44 hours.</p> <p>An indenture of apprenticeship prescribed by the Board was approved on 31st July, 1925.</p>	<p><i>Grocers' Sundries, Polish, or Starch Sections, and other Sections not elsewhere included.</i></p> <p>One male improver to every four or fraction of four male workers receiving not less than 8s. per week of 44 hours.</p> <p>One girl improver to every four or fraction of four women workers receiving not less than 42s. 6d. per week of 44 hours.</p> <p style="text-align: center;"><i>Candle or Soap and Soda Sections.</i></p> <p>One improver to every five or fraction of five workers receiving not less than 8s. per week of 44 hours.</p>
16 to 17 "	..	27 0	..	20 9		
17 " 18 "	..	33 3	..	25 0		
18 " 19 "	..	39 9	..	28 0		
19 " 20 "	..	47 0	..	32 3		
20 " 21 "	..	58 6	..	36 3		

JUVENILE WORKERS.

WAGES PER WEEK OF 44 HOURS.			DEFINITIONS.	
	Males.	Girls.		
	s. d.	s. d.		
14 to 15 years	18 3	—	<i>Grocers' Sundries Section, and other Sections not elsewhere included.</i>	
15 " 16 "	19 3	19 6	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.	
16 " 17 "	23 9	20 9	<i>Polish Section.</i>	
17 " 18 "	27 6	25 0	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.	
18 " 19 "	32 9	28 0	<i>Soap and Soda Section.</i>	
19 " 20 "	42 3	32 3	Persons under the age of 19, other than apprentices or improvers, employed in wrapping or packing washing soap or soap extract.	
20 " 21 "	47 0	38 3	<i>Candle Section.</i>	
			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 or labelling candles.	
			<i>Starch Section.</i>	
			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 stores; or, if girls, are employed scraping and wrapping blocks, or filling, weighing, labelling, or casing starch.	

OTHER EMPLOYEES.

WAGES PER WEEK OF 44 HOURS.

		£ s. d.			£ s. d.			£ s. d.
<i>Grocers' Sundries Section, and other Sections not elsewhere included.</i>			<i>Soap and Soda Section.</i>			<i>Candle Section.</i>		
Miller, i.e., an employee in charge of one or more grinding departments	..	4 11 6	Soapmaker's assistant	..	4 11 6	Acidifier	..	4 7 0
Roaster	..	4 11 6	Foreman in charge and actually working in the frame room, packing room, and cutting room	..	4 11 6	Stillman	..	4 7 0
Stonedresser	..	4 11 6	Milling room foreman in charge of and actually working at the milling of soap	..	4 7 0	Glycerine distiller	..	4 7 0
Coffee essence maker, i.e., an employee in charge of vacuum pans making coffee essence	..	4 8 6	Soap mixer, i.e., an employee in charge of and actually working at a power crutcher	..	4 7 0	Evaporator	..	4 7 0
Mixer or blender, i.e., an employee in charge of one or more mixing or blending departments	..	4 6 0	Caustic soda and silicates preparers, i.e., employees engaged in preparing caustic soda and silicates for soapmaker	..	4 7 0	Candle moulder, with twelve months' experience	..	4 7 0
Kilaman, i.e., an employee in charge of and actually doing the work of a kilnman	..	4 4 6	Soda crystal maker, i.e., an employee in charge of and actually working at soda crystal making	..	4 6 0	Candle moulder, with less than twelve months' experience	..	4 5 0
Mill assistant, i.e., an employee (working under the direction of a miller who supervises the running of grinding rolling, or cleaning machines	..	4 4 0	Soap-cutting machinist, i.e., an employee in charge of and actually working at a power soap-cutting machine	..	4 5 6	Candle room ganger	..	4 7 0
Bagged goods carrier or stacker, i.e., an employee engaged carrying or stacking cereal or other bagged goods in their raw state, but not engaged in the manufacture or delivery of goods	..	4 4 0	Soap cutter by hand, i.e., an employee in charge of and actually cutting soap by hand	..	4 5 6	Press room ganger	..	4 7 0
Storeman and packer	..	4 4 0	Soap crutcher by hand	..	4 5 6	Cupboard runner	..	4 7 0
Storeman and packer in charge of six or less storemen and packers	..	4 7 0	Power stamping machinist, i.e., an employee in charge of and actually working at a power stamping machine	..	4 3 6	Provided that where cupboard runners are required to remain in the cupboard at a temperature of 100° F. for more than half an hour continuously on any one day, 6d. per day extra shall be paid.		
Storeman and packer in charge of seven or more storemen and packers	..	4 11 0	Storeman and packer	..	4 4 0	Storeman and packer	..	4 4 0
All other adult men	..	4 1 0	Storeman and packer in charge of six or less storemen and packers	..	4 7 0	Storeman and packer in charge of six or less storemen and packers	..	4 7 0
All other adult women	..	2 2 6	Storeman and packer in charge of seven or more storemen and packers	..	4 11 0	Storeman and packer in charge of seven or more storemen and packers	..	4 11 0
<i>Polish Section.</i>			All other adult men	..	4 1 0	All other adult men	..	4 1 0
Foreman	..	4 6 0	All other adult women	..	2 2 6	All other adult women	..	2 2 6
Mill hand, i.e., an employee working at a mill used for the grinding of moulders' blacking, moulders' plumbago preparation, charcoal, or coal dust	..	4 6 0				<i>Starch Section.</i>		
Boot polish mixer, i.e., an employee in charge of and actually working at mixing boot polishes	..	4 6 0				Foreman	..	4 11 6
Boot blacking mixer, i.e., an employee in charge of and actually working at mixing boot blacking	..	4 6 0				Stone dresser or miller	..	4 11 6
Washing blue mixer, i.e., an employee in charge of and actually working at mixing washing blue	..	4 6 0				Leading Hand, i.e., an adult employee who gives instructions and is responsible for the work done in the starch factory	..	4 8 6
Storeman and packer	..	4 4 0				Millstone attendant	..	4 4 0
Storeman and packer in charge of six or less storemen and packers	..	4 7 0				Person in charge of starch draining boxes	..	4 4 0
Storeman and packer in charge of seven or more storemen and packers	..	4 11 0				Person in charge of cornflour runs	..	4 4 0
All other adult men	..	4 1 0				Storeman and packer	..	4 4 0
All other adult women	..	2 2 6				Storeman and packer in charge of six or less storemen and packers	..	4 7 0
						Storeman and packer in charge of seven or more storemen and packers	..	4 11 0
						All other adult men	..	4 1 0
						All other adult women	..	2 2 6

(3) **EMPLOYMENT.—WEEKLY 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.

(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 at ordinary rate. Piece-workers shall be paid for such holidays and Sundays at the rate payable to employees on time work doing the same class of work.

(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 to do.

(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 rest, 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 1s. 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 of charge 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) **TEA MONEY.**—Any employee required to work overtime for 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 and such 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 soda 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 Shops 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) **DEFINITION.**—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, Chairman.

GEO. E. PARR, Secretary.

Melbourne, 7th February, 1940.