

VICTORIA

GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 21

MONDAY, JANUARY 6.

[1941

Factories and Shops Acts.

DETERMINATION OF THE ICE CREAM BOARD.

Norg.-This Determination on the 1st January, 1941, applied 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 employed in the trade of making edible ices, ice cream, or any frozen articles of which ice cream is the principal ingredient," has made the following Determination, namely:—

(1) That on the lat January, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

ORDINARY WORKERS.

Apprentices or Improvers.	Juvenile Workers.	Adalt Employees.
Wages per Week of 44 Hours.	Wages per Week of 44 Hours.	Wages per Week of 44 Hours.
Males.	Males.	Males.
Apprentices. Improvers. s. d. d. d. Under 16 years of age 18 9 .29 3 16-17 years of age .25 9 .35 0 17-18 years of age .29 6 .40 3 18-19 years of age .38 3 .49 3 19-20 years of age .53 3 .64 0 20-21 years of age .64 0 .75 0	Under 16 years of age	Pasteurizer, Mixer, Cooling, or Freezer Assistant to any of the abovementioned operators 89 0
Proportion.	17-18 years of age 30 6 18-19 years of age 34 6	Cup, or Machine operator 90 6 Chocolate bar
One male apprentice and one male improver to every three or fraction of three	19-20 years of age 37 0 20-21 years of age 40 6	Mould cutter 90 6 Can washer, floor hand, chamber hand, or person handling ice 89 0
male workers receiving not less than 86s, per week of 44 hours.	PROPORTION. Three female juvenile workers to every two female workers receiving 49s. 6d. per week of 44 hours.	

- (3) SHIFT WORKERS.—Shift workers shall receive the wages prescribed in clause (2) for ordinary workers according to the class of work done plus an additional ls. per shift.
- (4) EMPLOYEES IN FREEZING CHAMBER.—(a) Notwithstanding the rates provided in clauses (2) and (3), 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 two hours on any day, shall be paid for all work (whether inside or outside the chamber) done on such day at the rate of 2s, 7d. per hour. If employed under such conditions for less than an aggregate of two hours on any day he shall receive 2s, 7d. per hour whilst so employed.
- (b) An employee required to work in a temperature less than 4° F. shall receive 3d. per hour or part of an hour in addition to the rate provided in sub-clause (a) hereof.
- (c) The total time worked by any employee in a chamber mentioned in sub-clause (a) hereof shall not exceed an aggregate of four hours in any shift and an employee shall not be employed in such a chamber for a continuous period of two hours without being allowed a rest period of fifteen minutes outside such chamber.
- (d) An employer shall provide free of charge for the use of each employee required to work in temperatures below 4° F. a blanket suit, helmet and gloves.
- (5) Definitions.—(a) A juvenile worker is any person under 21 years of age (other than an apprentice or improver) employed stirring melted chocolate; picking out defective goods; stacking or counting atticles not over 4 oz. in weight; moving goods for packing; counting, wrapping or scaling up to six dozen containers; filling ice cream cups or similar vessels; chocolate dipping; or wrapping any article intended for consumption.
- (b) An ordinary worker is an employee who usually commences and completes his day's work between the hours of 6 a.m. and 7 p.m. on Monday to Friday inclusive, and between the hours of 6 a.m. and 1 p.m. on Saturday.
 - (c) A shift worker is any employee other than an ordinary worker.

(6) Hours of Employment.—The ordinary hours for a week's work 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.

(7) OVERTIME.—Time and a half shall be paid for all work done— (i) By shift workers-

- (a) In excess of four hours on Saturday and eight thours on other days.

 (b) On Saturdays, and in excess of eight hours forty-eight minutes on other days.

 Where an ordinary week's work is worked in five days (Monday to Friday).

- forty-eight minutes on outer days.

 (ii) By ordinary workers—

 (a) Outside the times fixed for beginning and ending work.

 (b) Within the times fixed for commencing and ending work in excess of four hours on Saturday and eight hours on other days where an ordinary week's work is worked in six days and for all work done on Saturday and in excess of eight hours forty-eight minutes on Monday to Friday where an ordinary week's work is worked in five days.

 Special Rates.—Double time (with a minimum of four hours' work or payment for same) shall be the rate for all work done on the control of the control
- (8) Special Rates.—Double time (with a minimum of four hours' work or payment for same) shall be the rate for all work done on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day (21st April), Anzao Day, King's Birthday, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.
- (9) Time. Wages.—Any person employed on time wages for less than the number of hours of an ordinary week's work shall for each hour worked up to one-half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of thirty-three per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.
- wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

 (10) NOTICE OF INTENTION TO WORK OVERTIME.—In every case where practicable an employer shall give 24 hours' notice each employee of his intention to work such employee overtime. In each case where such notice has not been given and the employee is required to work overtime for not less than one hour he shall receive one shilling and sixpence as tea money, in addition
- (11) Meal Allowance.—When an employee has provided himself with a customary meal because of receipt of notice of intention to work overtime, he shall be entitled to payment of 1s. 6d. for each meal so provided in the event of the work not being done or ceasing before such meal time.
- (12) Provision of Clothing.—Overalls shall be provided and maintained by the employer: and employees when engaged in de-frosting shall be provided with rubber capes and rubber boots.
- (13) CONTINUITY OF WORK.—The work of each day shall be continuous with the customary break of not more than one hour
- (14) TIME BOOK AND WAGE RECORD.—Every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time eards, or by a mechanical contrivance, which shall be furnished by the employer. In addition to such time record every employee shall be required to sign each week a wage book or other record showing the total amount received as wages for such week.
- (15) 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 by employees and wages paid, provided that such inspection is made between the hours of 8 a.m. and 4.30 p.m. on a working day.

(16) SPECIAL CONDITIONS regarding work in the chambers—

(a) No person under the age of nineteen years shall be required to work in a chamber.

(b) Chamber hands shall be supplied with suitable gloves by the employer.

- (17) PROHEBITION OF NIGHT WORK FOR FEMALES.—No female employee shall be employed between the hours of 9 p.m. on one day and 6 a.m. on the following day.

 (18) ANDIAL LEAVE.—(a) Employees who have been in the continuous employment of an employer for twelve months shall be entitled to one week's annual leave without deduction of pay.

 (b) Employees who have been in the continuous employment of an employer for less than twelve months and more than four (c) For the purpose of administering sub-clauses (a) and (b) hereof any service with an employer prior to the 25th August,
- (19) Termination of Employment.—(a) Notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of an employer 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 usefully be employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

 (b) In lieu of such 44 working hours' notice, except in circumstances referred to above, the employer may pay 44 hours' wages and vice versa the employee leaving his or her employment without notice shall forfeit 44 hours' wages which may be deducted from any wages due.

D. GRANT, Chairman,

Melbourne, 17th December, 1940.

J. W. RYAN, Secretary.