



VICTORIA GOVERNMENT GAZETTE.

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[1943

Factories and Shops Acts.

DETERMINATION OF THE BUTTER FACTORIES BOARD.

NOTES.—(1) On 18th July, 1938, the Butter Board was deprived of the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(a) butter, cheese, or casein;

(b) cream for wholesale trade other than sterilized cream,"

and such power was conferred exclusively on the Butter Factories Board.

(2) 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 has the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(a) butter, cheese, or casein;

(b) cream for wholesale trade other than sterilized cream,"

has made the following Determination, namely:—

(1) That on the 28th August, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.				Juvenile Workers.				Other Employees.				
WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.				
Shift Workers.		Ordinary Workers.	s. d.	Males.	Females.	Shift Workers.			Ordinary Workers.			
Where a Seven-day Week is Worked.	Where a Six-day Week is Worked.					Where a Seven-day Week is Worked.	Where a Six-day Week is Worked.	s. d.		s. d.	s. d.	
Under 16 years	..	46 0	..	Under 16 years	38 9	33 9	Cream grader	130 0	127 0	119 0		
16-17 years	..	53 9	..	16-17 years	43 6	37 6	Milk grader	129 0	126 0	118 0		
17-18 "	..	60 6	..	17-18 "	54 0	42 0	Milk or cream tester	129 0	126 0	118 0		
18-19 "	79 6	76 6	68 6	18-19 "	59 0	48 9	Creamery manager	127 0	124 0	116 0		
19-20 "	88 6	85 6	77 6	19-20 "	69 6	54 0	Milk or cream neutralizer	125 6	122 6	114 6		
20-21 "	94 9	91 9	83 9	20-21 "	79 3	59 3	Foreman of shift or department or casein plant	127 0	124 0	116 0		
PROPORTION (IN ANY PLACE).								Butter-maker	129 0	126 0	118 0	
<i>Males.</i>								Re-worker and/or processor (not requiring a butter-maker's certificate)	117 0	114 0	106 0	
One apprentice to every three or fraction of three workers receiving not less than 103s. per week.								Operators of any of the following machines, viz.—				
One improver to every eight or fraction of eight workers receiving not less than 103s. per week.								Separator	115 0	112 0	104 0	
<i>Females.</i>								Pasteurizer evacuator, or depodorizer	115 0	112 0	104 0	
One apprentice and one improver to every three or fraction of three workers receiving not less than 70s. 3d. per week.								Weighing machine	115 0	112 0	104 0	
								Filling machine for tinning of butter when butter has not been milled	117 0	114 0	106 0	
								Filling machine, for tinning of butter when butter has been milled	116 0	113 0	105 0	
								Storeman or packer in butter canning establishments	116 0	113 0	105 0	
								Other Storemen or Packers	115 0	112 0	104 0	
								Casein-maker	128 0	125 0	117 0	
								Assistant to casein-maker, casein dryers, and millers	116 6	113 6	105 6	
								Cheese-maker	129 0	126 0	118 0	
								Assistant to cheese-maker	118 6	115 6	107 6	
								Cheese storehand	118 0	115 0	107 0	
								Male adult washing or sterilizing cans or bottles	115 0	112 0	104 0	
								All other adult males	114 0	111 0	103 0	
								All other adult females	70 3	

(3) DEFINITIONS.—“Juvenile worker” means a person under 21 years of age (other than an apprentice or an improver employed at—

- Patting, wrapping, or branding butter or cheese;
- Blending or re-packing cheese;
- Filling or cleaning cheese jars or moulds;
- Filling or emptying casein trays;
- Filling or drying casein in tunnels;
- Filling casein into bags;
- Weighing, filling, emptying, stacking, capping, sealing, opening, labelling, wrapping, packing, cleaning, or sterilizing tins, cartons, or bottles;
- Stamping or branding tins, cartons, cases, bottles, or labels;
- Stamping, branding, lining, or nailing up boxes or shooks, but not lifting full boxes; or
- Handling empty tins, cans, cases, crates, jars, moulds, or boxes.

“Ordinary worker” means a person—

- (a) who ordinarily works 8 hours 48 minutes between 7 a.m. and 7 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday when the ordinary week's work is performed in five days;
- (b) who ordinarily works eight hours between 7 a.m. and 7 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and four hours on Saturday between 7 a.m. and 12 noon when the ordinary week's work is performed in six days.

“Shift worker” is a person other than an ordinary worker. Males under 21 years of age (other than an apprentice or improver 18 years of age or over) or females of any age shall not be employed on shift work.

“Butter-maker” is a person who controls the temperature of cream for butter making, starts and stops the churn after filling with cream, and salts and works the butter.

“Assistant to cheese-maker” means any person employed in the working of the curd in the vats and processes up to and including unhooping the cheese from the presses. Not more than six assistants to cheese-makers shall be employed to each cheese-make in any factory.

“Assistant to casein-maker” means any person employed in the working of the curd in the vats up to and including unhooping of the casein curd from the presses.

(4) PROHIBITION OF EMPLOYMENT.—No person under 21 years of age shall be employed placing cans in or removing cans from a mechanical washer.

(5) OVERTIME.—The following rates shall be paid:—

(a) To “ordinary workers” for all time worked—

Outside the times of beginning and ending work as fixed in clause (3)	} Time and a half.
Within the times of beginning and ending work so fixed in excess of four hours on Saturday and eight hours on the other working days where an ordinary week's work is worked in six days and for all time worked on Saturday and in excess of 8 hours 48 minutes on Monday to Friday inclusive where an ordinary week's work is worked in five days	
Provided that double time shall be paid for all work done on Saturday after 12 noon.	

(b) To “shift workers” for all time worked in excess of 7 hours 20 minutes on any day . . . Time and a half.

(6) MEAL INTERVAL.—An interval of not less than 30 minutes nor more than 60 minutes shall be granted for meals between the hours of 12 noon and 2 p.m., provided that females and juveniles shall be granted such interval not more than 4½ hours after starting work. Shift workers shall be allowed an interval of not less than 30 minutes nor more than 60 minutes for meal; such meal time to be not less than three hours, or more than five hours from the time of beginning work, provided that no employee shall be compelled to work for more than five hours between meal intervals and without being allowed a crib time of fifteen minutes for which he or she shall be paid.

Meal time, if worked, shall be paid for at the rate of time and a half on prevailing rates, same to continue until such time as the employee has had the full time provided for meal.

(7) TIME BOOK OR OTHER RECORD.—That every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance, which shall be furnished by the employer.

(8) INSPECTION OF TIME BOOK.—That the Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australia be allowed to inspect the Time Record referred to in clause (6) and wages record covering a period of two months prior to the inspection), during the office hours of the factory.

(9) ALLOWANCE.—When an employee is required by law or by his employer to wear a washable outer garment such garment (not exceeding two each year) shall be an overall of a proved type and quality and shall be provided by the employer in the month of September in each year.

(10) CONTINUITY OF WORK.—The work of each day or shift shall be continuous, with the customary break for a meal.

(11) TIME WAGES.—Any person ready, available and willing to work, employed on time wages for less than the number of hours fixed for an ordinary week's work between midnight Sunday and midnight Saturday 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 33 per centum, and for each hour worked beyond the one-half aforesaid the rate of wages payable shall be the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(12) TERMINATION OF EMPLOYMENT.—Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker.

(13) PAYMENT OF WAGES.—Wages shall be paid during ordinary working hours or immediately on ceasing work on each pay day.

(14) WASHING, DINING AND DRINKING FACILITIES.—Adequate washing and drinking facilities shall be provided in each factory or department, and where, in the opinion of the Inspector of Factories, conditions necessitate their use adequate dining rooms changing facilities and showers shall be provided by the employer.

(15) IMPROVER TO RECEIVE ADULT WAGE.—An improver employed at any class of work for which a certificate from the Department of Agriculture is required shall, unless he is working under the direct supervision of an employee so qualified, be paid the rates of pay prescribed for such an adult employee.

(16) ROTATION OF SHIFTS.—Where more than one shift per day is worked there shall be a change of shift at least once every four weeks unless otherwise arranged by mutual consent.

(17) ANNUAL LEAVE.—(a) Males.—Any male employee who has been in the service of the same employer for a period of not less than twelve months shall be granted two week's holiday on full pay in each year, and such holiday shall be given not later than 31st August in each year.

If the employee leaves or is dismissed before the expiration of twelve months, then such employee shall be given or paid for one day's holiday for each calendar month or part of a calendar month's service. Provided that an employee shall not be entitled to one day's holiday pay for part of a calendar month until he has completed three calendar months' continuous service with the same employer.

(b) Females.—Any female employee who has been in the service of the same employer for a period of not less than twelve months shall be granted two weeks' holiday on full pay each year, and such holiday shall be given within three months of completion of each twelve months' service.

If the employee leaves or is dismissed before the expiration of twelve months, then such employee shall be given or paid for one day's holiday for each calendar month or part of a calendar month's service. Provided that an employee shall not be entitled to one day's holiday pay for part of a calendar month until she has completed three calendar months' continuous service with the same employer.

(c) If any holiday (mentioned in clause 20) occurs in the employee's period of annual leave then such employee shall be given for each such holiday:—

- (a) An extra day added to his or her annual leave with pay; or
- (b) An extra day's pay.

(18) SICK LEAVE.—(a) Any employee who has been in the employment of the same employer for a period of not less than three months and who does not attend for duty shall lose his pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his 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 ground of personal ill health or accident for more than four days in each year or a proportionately less time during any shorter period of employment. For the purposes of this clause service prior to the 1st July, 1943, shall be disregarded.

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding eight days, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

(19) MIXED FUNCTIONS.—Where an employee is engaged in any one day or shift for more than two hours at work in a higher class than he is employed to perform, he shall be paid for the full day or shift at the highest rate payable for any such work under this Determination, but if he is so engaged for less than two hours he shall be paid at the rates fixed by this Determination only for the work he actually performs.

(20) SPECIAL RATES.—Time and a half shall be the rate payable for all work done on Sunday, New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, 21st April (Labour Day), Anzac 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 be payable only for work done on the day so substituted. Provided that by mutual agreement between any employer and the employees concerned some other day may be substituted for King's Birthday.

Any employee called to work part of a Sunday or holiday shall be paid ordinary rate for the remainder of the day.

(21) 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. Provided that the wages of apprentices, improvers, juveniles, and females shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (22).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 4 13 0	Melbourne

(22) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in November, 1943, the amount of the basic wage shall be as prescribed in clause (21).

(b) During each future successive period beginning with the first pay period to commence in a November, a February,—a May, or an August, 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 or near a quarter 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 Numbers Divisions.	Basic Wage.
	£ s. d.		£ s. d.
994-1005	4 1 0	1118-1129	4 11 0
1007-1018	4 2 0	1130-1141	4 12 0
1019-1030	4 3 0	1142-1154	4 13 0
1031-1043	4 4 0	1155-1166	4 14 0
1044-1055	4 5 0	1167-1179	4 15 0
1056-1067	4 6 0	1180-1191	4 16 0
1068-1080	4 7 0	1192-1203	4 17 0
1081-1092	4 8 0	1204-1216	4 18 0
1093-1104	4 9 0	1217-1228	4 19 0
1105-1117	4 10 0	1229-1240	5 0 0

Any extension of this table must be of the same construction as the table.

P. A. RANGLES, J.P., Chairman.
J. V. WILLOX, Secretary.

Melbourne, 30th August, 1943:

