



# VICTORIA GOVERNMENT GAZETTE.

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Factories and Shops Acts.

## DETERMINATION OF THE CONDENSERIES BOARD.

NOTES.—(a) 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 (other than persons subject to the Butter Factories Board and the Retail Dairy Board) wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale condensed milk, sterilized milk, dried milk, milk sugar, sterilized cream, or any other milk product," and such power was conferred exclusively on the Condenseries Board.

(b) 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 persons (other than persons subject to the jurisdiction of the Butter Factories Board and the Retail Dairy Board) wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale condensed milk, sterilized milk, dried milk, milk sugar, sterilized cream, or any other milk product, including the treatment of bulk milk for wholesale distribution, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 8th December, 1947, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

APPRENTICES OR IMPROVERS.			JUVENILE WORKERS.			
	Wages per Week.			Wages per Week.		
	Shift Workers.	All Others.		Males.	Females.	
	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>	
Under 16 years .. ..	..	59 9	Under 16 years .. ..	50 0	48 3	
16-17 years .. ..	..	69 3	16-17 years .. ..	56 3	52 6	
17-18 " .. ..	..	79 3	17-18 " .. ..	69 3	59 6	
18-19 " .. ..	104 3	89 9	18-19 " .. ..	76 9	70 3	
19-20 " .. ..	116 0	100 6	19-20 " .. ..	90 0	75 9	
20-21 " .. ..	123 0	108 3	20-21 " .. ..	103 0	84 3	

### PROPORTION (IN ANY PLACE).

#### Males.

One apprentice to every three or fraction of three workers receiving not less than 132s. per week.

One improver to every eight or fraction of eight workers receiving not less than 132s. per week.

#### Females.

One apprentice and one improver to every three or fraction of three workers receiving not less than 99s. per week.

Female juvenile workers operating the Majonnier tester shall be paid 9s. 3d. per week in addition to their ordinary wage.

Female juvenile workers employed in laboratories shall be paid 4s. 3d. per week in addition to their ordinary wage.

OTHER EMPLOYEES.

	Wages per Week.	
	Shift Workers.	All Others.
	s. d.	s. d.
Milk or cream grader or tester .. .. .	161 0	150 0
Neutralizer .. .. .	158 0	147 0
Foreman of shift or department .. .. .	158 0	147 0
Operator of any of the following machines :—		
Milk drier (roller system) .. .. .	151 0	140 0
Milk drier (spray system) .. .. .	152 0	141 0
Assistant to milk drier (spray system) .. .. .	151 0	140 0
Sugar boiler .. .. .	146 0	135 0
Vacuum pan—condensery .. .. .	153 0	142 0
Vacuum pan-dried milk .. .. .	152 0	141 0
Vacuum pan-milk sugar .. .. .	152 0	141 0
Evaporator .. .. .	151 0	140 0
Homogenizer or visiolizer .. .. .	149 6	138 6
Cream retort .. .. .	147 0	136 0
Powder sifter .. .. .	145 0	134 0
Tubular heater or ejector .. .. .	146 0	135 0
Separator .. .. .	144 0	133 0
Pasteurizer .. .. .	144 0	133 0
Weighing machine (milk receiving) .. .. .	151 0	140 0
Wire-hoopers, storeman, stackers or packers .. .. .	145 0	134 0
Washers of vacuum pan, vacuum holding vats, or evaporator .. .. .	146 0	135 0
Male adult washing or sterilizing cans or bottles .. .. .	145 0	134 0
Operator of a fork lift truck .. .. .	146 0	135 0
All other male adults not covered by a Determination of any other Wages Board .. .. .	143 0	132 0
Headwoman, i.e., a person who has charge of employees under, and takes her instructions from, the foreman .. .. .	..	99 0
Females operating dried milk automatic filler .. .. .	..	99 0
All other females .. .. .	..	99 0

Female workers operating the Majonnier tester shall be paid 9s. 3d. per week in addition to their ordinary wage.  
 Female workers employed in laboratories shall be paid 4s. 3d. per week in addition to their ordinary wage.  
 Persons employed clearing or cleaning horizontal drying boxes shall be paid 5s. per week for mid-clearance, or 3s. per week for morning clearance, in addition to their ordinary weekly wage.  
 Persons operating more than two vacuum pans shall be paid 4s. per pan extra.  
 Washers of vacuum pans, vacuum holding vats, or evaporators shall be allowed 3d. for each flying clean or 9d. for each full clean in addition to the ordinary weekly wage for the employee concerned.  
 Persons employed cleaning milk tankers and vacuum pan vapour pipes, when the employee enters the latter, shall receive 9d. for each clean in addition to the ordinary weekly wage for the employee concerned.  
 Persons employed on a Dennington Spray Control floor shall be paid 15s. per week additional to the rates for milk drier (spray system).  
 Persons employed stacking tinplate or unloading tinplate from trucks shall be paid 2d. per hour in addition to their ordinary wage.  
 Persons employed unloading or scooping briquettes shall be paid 3d. per hour in addition to their ordinary wage.

DEFINITIONS.

3. "Juvenile worker" means a person under 21 years of age (other than an apprentice or improver) employed at—  
 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;  
 Handling empty tins, cans, cases, crates, jars, moulds, boxes, or cartons;  
 Feeding or assisting on machines; or  
 Feeding or taking away from automatic machines.

"Ordinary Worker" means a person—

- (a) who works 8 hours 48 minutes until the beginning of the first pay period to commence in January, 1948, thereafter 8 hours, between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday when the ordinary week's work is performed in five days;
- (b) who works 8 hours until the beginning of the first pay period to commence in January, 1948, thereafter 7 hours 12 minutes, between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and 4 hours on Saturday when the ordinary week's work is performed in 5½ days.

"Shift worker" means 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.

HOURS FOR A WEEK'S WORK.

4. The number of hours which shall constitute an ordinary week's work shall be 44 until the beginning of the first pay period to commence in January, 1948, thereafter 40.

OVERTIME.

5. 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 .. .. .  
 Within the times of beginning and ending work so fixed in excess of 4 hours on Saturday and 8 hours until the beginning of the first pay period to commence in January, 1948, thereafter 7 hours 12 minutes, on the other working days where an ordinary week's work is worked in 5½ days and for all time worked on Saturday and in excess of 8 hours 48 minutes until the beginning of the first pay period to commence in January, 1948, thereafter 8 hours, on Monday to Friday (inclusive) where an ordinary week's work is worked in five days .. .. .

} Time and a half

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 until the beginning of } Time and a half  
the first pay period to commence in January 1948, thereafter 6 hours 40 minutes, on any day }
- (c) An employer may require any employee to work reasonable overtime at overtime rates and the employee shall work overtime in accordance with such requirement.

## MEAL INTERVAL.

6. An interval of 45 minutes shall be granted for meals between the hours of 12 noon and 1.30 p.m., provided that females and juveniles shall be granted such interval not more than  $4\frac{1}{2}$  hours after starting work. Shift workers shall be allowed 45 minutes for each meal; such meal time to be not less than  $3\frac{1}{2}$  hours or more than 5 hours from the time of beginning work.

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.

## CRIB TIME.

7. An ordinary worker who commences work at 6 a.m. or earlier shall be allowed a rest interval of 15 minutes at not more than three hours from the time of commencing work.

## MORNING TEA.

8. Tea shall be made available each morning for female employees.

## CONTINUITY OF WORK.

9. The work of each day or shift shall be continuous with the customary break for a meal.

## TIME WAGES.

10. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work between midnight on Sunday and midnight on 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.

## MEAL ALLOWANCE.

11. Any employee required to work more than 60 minutes' overtime after the usual finishing time shall be paid, in addition to the overtime payable, an allowance of 1s. 6d. for a meal.

## WAITING TIME.

12. When an employee is called to work at a certain hour, but is not put on at such hour, the time that the employee is kept waiting shall be treated as time on duty.

## ALLOWANCE.

13. 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 provided by the employer.

## PROHIBITION OF EMPLOYMENT.

14. No person under 21 years of age shall be employed placing cans in or removing cans from a mechanical washer.

## PAYMENT OF WAGES.

15. All wages shall be paid weekly.

## TERMINATION OF EMPLOYMENT.

16. Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or employee.

## WASHING AND DRINKING FACILITIES.

17. Adequate drinking and washing facilities shall be provided in each factory or department. All employees handling briquettes or coal shall be allowed seven minutes' washing time at the conclusion of the day's work. Where conditions of labour warrant their use, changing accommodation and showers shall be provided by the employer.

## TIME BOOK OR OTHER RECORD.

18. 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.

## INSPECTION OF TIME BOOK.

19. The Secretary, Assistant Secretary, or Organizer of the Federated Cold Storage and Meat Preserving Employees' Union of Australia, duly authorized in writing under the seal of the said Union, shall have access to the record of times recorded by the employees and the wages paid for a period of two months prior to date of inspection, provided that such inspection shall be made during the office hours of the factory, and not more than once in any fortnight. Authority shall be produced to the employer on demand.

## IMPROVER TO RECEIVE ADULT WAGE.

20. 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.

## LIFTING OF WEIGHTS.

21. (a) Male employees under 18 years of age shall not lift weights in excess of 30 lb., and male employees between the age of 18 years and 21 years shall not lift weights in excess of 45 lb.

(b) Female employees under 18 years of age shall not lift weights in excess of 25 lb., and female employees over 18 years of age shall not lift weights in excess of 35 lb.

## ANNUAL HOLIDAY.

22. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holiday) Act 1946* (No. 5111), and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act, which may be purchased from the Government Printer, Melbourne, at a cost of 9d., plus postage.)

## SICK LEAVE.

23. (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 40 hours of working time in each year or a proportionately less time during any shorter period of employment. For the purposes of this clause the present "year" shall be deemed to have commenced on the 15th day of November, 1943, and each succeeding "year" on the 15th day of November of each such year.

(b) Notwithstanding anything contained in sub-clause (a) hereof, if the full period of sick leave as prescribed above 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 80 hours of working time which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

(c) An employee shall not be entitled under this clause to paid leave of absence for any period in respect of which he is entitled to Worker's Compensation.

MIXED FUNCTIONS.

24. 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.

SPECIAL RATES.

25. (a) Time and a half shall be the rate payable for all work done on Sunday, and double time shall be the rate payable for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Christmas Day, Boxing Day, and a holiday to be fixed by each factory in lieu of King's Birthday in accordance with Clause 18; 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.

(b) Any employee who works part of a holiday shall be paid ordinary rate for remainder of the day.

(c) Any employee required to work on a Sunday shall be entitled to a minimum of an ordinary day's pay or work at special rate to enable him to earn such ordinary day's pay.

DAY OFF FOR SHIFT WORKERS (OTHER THAN THOSE REFERRED TO IN CLAUSE 28.)

26. Seven day shift workers shall be entitled to one day off without pay in each fortnight on any one of the days Monday to Saturday (both inclusive). The period of working time on such day off shall—

(i) be taken into account for the purpose of prohibiting an employee from claiming benefits under the provisions of Clause 10; and

(ii) count as time worked for the purpose of Clause 27.

If work is performed on such day off it shall be paid for at the rate of time and a half.

DOUBLE TIME FOR CERTAIN SUNDAY WORK.

27. Notwithstanding the provisions of Clause 25 of this Determination, an employee who works on a Sunday shall be entitled to payment at the rate of double time for such Sunday work as shall be in excess of 44 hours until the 31st December, 1947, thereafter 40, worked since the previous Sunday exclusive of any overtime worked by him on Monday to Saturday both inclusive.

SPECIAL PROVISIONS FOR EMPLOYEES ON A DENNINGTON SPRAY CONTROL FLOOR.

28. Notwithstanding the provisions of clauses 10, 25, and 27 of this Determination an employee on a Dennington Spray Control floor shall—

(i) be required to work on Sundays,

(ii) be entitled to one day off between Monday and Saturday inclusive each week,

(iii) be entitled to payment at the rate of double time for such Sunday work as shall be in excess of 44 hours until the 31st December, 1947, thereafter 40, less the day off referred to herein, worked since the previous Sunday exclusive of any overtime worked by him on Monday to Saturday both inclusive, and

(iv) when required, work in other departments at the rates prescribed for such work in such departments.

PERIODICAL ADJUSTMENT OF WAGES.

29. The wages rates set out in Clause 2 are based upon the following basic wage rates and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by Clause 30. 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.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Throughout the State	£ s. d. 5 3 0	s. d. 6 0	£ s. d. 5 9 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

30. (a) For the purposes of this Determination the expression, "Commonwealth Statistician's 'all items' 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.

(b) Until the beginning of the first pay period to commence in February, 1948, the amounts of the Basic Wage shall be as prescribed in clause 29.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor '087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

P. A. RANGLES, J.P., Chairman.

J. V. WHLOX, Secretary.

Melbourne, 27th November, 1947.