



VICTORIA

GOVERNMENT GAZETTE.

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[1948

Factories and Shops Acts.

DETERMINATION OF THE AERATED WATER TRADE 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 in the process, trade, or business of an aerated water or cordial or non-intoxicating beer manufacturer," has made the following Determination, viz. :—

1. That on the 11th January, 1948, the last previous Determination of this Board shall be revoked and replaced by this Determination.

NOTE.—The rates prescribed in Columns "A," "B," and "C" hereunder shall be operative as follows :—

- (i) Column "A" until the beginning of the first pay period to commence in February, 1948.
- (ii) Column "B" from the beginning of the first pay period to commence in February, 1948, until the beginning of the first pay period to commence in May, 1948.
- (iii) Column "C" as from the beginning of the first pay period to commence in May, 1948.

2.

JUNIORS.

| | Wages per Week of 40 Hours. | | | | | |
|--|---|-------------|-------------|------------------------|-------------|-------------|
| | Within 20 Miles of G.P.O., Melbourne ; within 10 Miles of G.P.O., Geelong ; in Warrnambool ; and in Mildura and Gippsland Districts. | | | Elsewhere in Victoria. | | |
| | Column "A." | Column "B." | Column "C." | Column "A." | Column "B." | Column "C." |
| Males— | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| Under 17 years of age | 2 1 6 | 2 3 0 | 2 4 0 | 2 0 6 | 2 2 0 | 2 3 0 |
| 17 and under 18 years of age | 2 12 6 | 2 14 6 | 2 15 6 | 2 11 0 | 2 13 0 | 2 14 0 |
| 18 and under 19 years of age | 3 0 6 | 3 3 0 | 3 4 0 | 2 19 0 | 3 1 6 | 3 2 6 |
| 19 and under 20 years of age | 3 14 6 | 3 17 6 | 3 18 6 | 3 12 6 | 3 15 6 | 3 16 6 |
| 20 and under 21 years of age | 4 7 6 | 4 11 0 | 4 12 6 | 4 5 6 | 4 9 0 | 4 10 6 |
| Females— | | | | | | |
| Under 18 years of age | 1 18 0 | 1 19 6 | 2 0 0 | 1 16 6 | 1 18 0 | 1 18 6 |
| 18 and under 19 years of age | 2 7 6 | 2 9 6 | 2 10 6 | 2 6 0 | 2 8 0 | 2 9 0 |
| 19 and under 20 years of age | 2 10 0 | 2 12 0 | 2 13 0 | 2 9 0 | 2 11 0 | 2 12 0 |
| 20 and under 21 years of age | 3 1 0 | 3 3 6 | 3 4 6 | 2 19 0 | 3 1 6 | 3 2 6 |
| Proportion (within any factory or place)— The proportion of male juniors to adults employed shall not exceed one juvenile to two or fraction of two adults employed by the employer in the industry. | | | | | | |

OTHER EMPLOYEES.

| | Wages per Week of 40 Hours. | | | | | |
|---|---|-------------|-------------|------------------------|-------------|-------------|
| | Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; in Warrnambool; and in Mildura and Gippsland Districts. | | | Elsewhere in Victoria. | | |
| | Column "A." | Column "B." | Column "C." | Column "A." | Column "B." | Column "C." |
| | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| Adult Males— | | | | | | |
| Cordial Maker, i.e., one who makes up either from his own or his employer's recipe .. | 7 4 0 | 7 8 0 | 7 10 0 | 7 1 0 | 7 5 0 | 7 7 0 |
| Employee who, under the direction of employer or foreman, is in charge of the running, adjustment, and maintenance of machinery, gas generators, or aerated water plant .. | 6 14 0 | 6 18 0 | 7 0 0 | 6 11 0 | 6 15 0 | 6 17 0 |
| Employee on automatic combined bottle-washing, syrrupping, bottling, sealing (or crowning), and labelling machine .. | 6 9 0 | 6 13 0 | 6 15 0 | 6 6 0 | 6 10 0 | 6 12 0 |
| Employee bottling or labelling aerated or carbonated waters .. | 6 6 6 | 6 10 6 | 6 12 6 | 6 3 6 | 6 7 6 | 6 9 6 |
| Employee engaged in handling Glauber Salts .. | 6 6 6 | 6 10 6 | 6 12 6 | 6 3 6 | 6 7 6 | 6 9 6 |
| Box repairer and wood worker .. | 6 10 0 | 6 14 0 | 6 16 0 | 6 7 0 | 6 11 0 | 6 13 0 |
| All others .. | 6 1 0 | 6 5 0 | 6 7 0 | 5 18 0 | 6 2 0 | 6 4 0 |
| Leading hand 1s. per day in addition to the above rates. | | | | | | |
| Adult Females— | | | | | | |
| Employees engaged syphoning, stoppering, filling essences, capsuling, sighting, cleaning, marking cases, folling, labelling, wiping, wrapping, and peeling or cutting up fruit or vegetables .. | 3 5 6 | 3 7 6 | 3 8 6 | 3 4 0 | 3 6 0 | 3 7 0 |

WORK OF MALE JUVENILES.

3. The following work may be performed by male juveniles of any age :—Syrup room, syphoning, stoppering, capsuling, labelling, wrapping, wiping, cleaning up, marking cases, sighting, wiring, tying, stacking cases at a height of not more than five feet, and any other work of a light nature.

Provided that :—Juveniles under the age of 19 years shall not be called upon to work on machine labelling unless they are paid the rates prescribed for a male juvenile of 19 years.

TERMS OF EMPLOYMENT.

4. (a) All employees, other than casual employees, shall be engaged by the week and shall be paid weekly.
- (b) Except as to casual employees a week's notice at least shall be given by the employer or the employee to terminate employment, or in lieu of such notice a week's wages shall be paid. Such notice shall be given to expire at the end of the regular working week. If the employment is terminated all money due to the employee shall be paid on the day of termination.
- (c) Sub-clause (b) hereof shall not apply if and when an epidemic, fire, strike or breakdown of machinery occurs, causing a stoppage of labour beyond the control of the employer.
- (d) The week's work shall terminate at finishing time on the last day of the regular working week which shall not be later than Thursday or Friday in the week, and the pay day shall be not later than the day next succeeding such last day.
- (e) If an employee absents himself or herself from duty, the employer may make a deduction from the employee's wage proportionate to the length of the absence, provided that this sub-clause shall not apply to absence on holidays in accordance with clause 9 of this Determination and as to cases of illness is subject to sub-clause (f) hereof.
- (f) If the absence from duty of an employee engaged by the week be reasonable because of his or her illness and he or she produces to the employer satisfactory evidence by medical certificate or otherwise, no deduction shall be made in respect of such absence, except so far as it exceeds in the aggregate 40 working hours during any one year of the employment or a proportionately less time during any shorter period of employment: Such sick leave pursuant to this sub-clause shall be cumulative for a period of two years: Provided that this sub-clause shall not apply to any employee who has not been in the employment for three months: Provided further that any payment due under this sub-clause shall not be connected in any way with any payment which may be due, because of accident, under workers' compensation.

HOURS.

5. (a) Each employee shall have a fixed starting and finishing time alterable at seven days notice.
- (b) The ordinary hours of labour of all employees shall be 40 per week; Monday to Friday inclusive, 8 hours each day exclusive of meal intervals. The said hours shall be worked within the range of hours from 6 a.m. to 6 p.m.
- (c) Meal intervals shall not be less than 40 nor more than 60 minutes in duration.
- (d) Any employee having worked five hours continuously shall thereupon be allowed time off duty without pay for at least 40 minutes.

OVERTIME.

6. (a) All duty performed in excess of 8 hours on Monday to Friday inclusive, or outside the limits of the prescribed range of hours or continuous period of work and all duty performed on Saturday, shall be overtime and shall be paid for at the rate of time and a half for the first four hours on any one day and double time thereafter.
- (b) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

CASUAL EMPLOYEES.

7. A casual employee shall mean and be deemed to be any employee engaged for a less period than one full working week. He or she shall be paid per hour at a rate not less than one-fortieth of the rate prescribed for an employee engaged by the week for similar work with an addition of one-fifth. Payment of his or her wages shall not be delayed beyond the termination of his or her employment.

TEA MONEY.

8. An employee required to work overtime in excess of one hour and a half after the usual finishing time without having been notified on the previous day that he or she would be so required shall either be supplied with a meal or be paid 2s. by the employer.

HOLIDAYS AND SUNDAYS.

9. (a) For the purposes of this Determination the days generally observed as the following shall be holidays :—New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Union Picnic Day, King's Birthday, Christmas Day, Boxing Day.

(b) If any of the said named days falls on a Sunday and no week day is generally observed as such a day, a week day in lieu thereof shall be allowed to each employee and shall in respect of such employee be treated as if it were such named day.

(c) No deduction shall be made from the wage of any employee engaged by the week because of absence from work on a holiday unless without permission or reasonable excuse he or she stays away on the day next preceding or next succeeding the holiday.

(d) No deliveries whatever shall be made on Sunday or on any holiday except New Year's Day, Easter Monday, or Boxing Day.

(e) All work performed on Sundays or holidays shall be paid for at the rate of double time with a minimum payment as for four hours.

(f) If an employee is required to work on a holiday he or she shall be paid treble instead of double time if the Secretary for Labour is satisfied that it was reasonably practicable by working overtime or otherwise to avoid requiring the employee to work on such holiday.

(g) If an employee is required to work on a holiday he or she shall be notified thereof at least 24 hours before such holiday, and if he or she is not so notified, shall be paid at the rate of treble instead of double time, unless it can be proved that it was not reasonably practicable to notify him or her.

ANNUAL LEAVE.

10. (a) Except as hereinafter provided annual leave shall be granted for continuous service *pro rata* to one week for twelve months' continuous service before 1st January, 1946, and *pro rata* to two weeks for twelve months' continuous service from 1st January, 1946. Such leave shall be granted within six months of becoming due and the employee shall receive at least two weeks' notice of the date of commencement of such leave.

(b) For each Determination holiday falling during the period of annual leave another day shall be added to the period of annual leave.

(c) Each employee before going on annual leave shall be paid in respect of continuous service before 1st January, 1946, *pro rata* to one week's wages for twelve months' continuous service and in respect of continuous service from 1st January, 1946, *pro rata* to two weeks' wages for twelve months' continuous service.

(d) Subject to the provisions of (a) hereof payment *pro rata* to length of continuous service shall be granted to all employees who upon termination of service have worked at least one month.

MIXED FUNCTIONS.

11. Where an employee is called upon to perform two or more classes of work on any one day he or she shall, for the purpose of assessing the wages to be paid, be deemed to have worked a day at the class for which the highest rate of wages is prescribed.

WATERPROOF CLOTHING AND BOOTS.

12. Where it is necessary for an employee to wear waterproof clothing or boots or clogs, the same shall be provided by the employer. The question as to whether waterproof clothing or boots or clogs are necessary for any employee shall be settled by agreement between the employer and the employee and in default of such agreement by the Secretary for Labour.

GLOVES.

13. All employees working on bottling machines or required to bring their hands in contact with broken glass shall be supplied with suitable protective gloves by the employer.

FIRST AID KIT.

14. First aid kit as now required under the Factories and Shops Acts shall be provided by the employer in each factory, and in the event of an accident occurring the first aid attendant shall be allowed reasonable time to attend to employees concerned in such accident.

TIME AND WAGES SHEETS.

15. (a) All employers shall keep a time sheet and a wages sheet which may be either combined or separate, and which shall be entered in ink, showing the hours worked each day and the wages paid to each employee.

(b) The time sheet and the wages sheet shall, as to entries therein in respect of employees covered by this Determination, be open for inspection to a duly accredited official of the Federated Liquor and Allied Trades Employees' Union of Australasia during the usual office hours at the employer's office or other convenient place. Provided that no inspection shall be demanded unless the secretary or district secretary or organizer of such union suspects that a breach of this Determination has been committed: Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

RIGHT OF ENTRY OF UNION OFFICIALS.

16. The secretary or organizer of the Federated Liquor and Allied Trades Employees' Union of Australasia may enter the employer's premises to interview members of the union during non-working hours subject to the approval of the employer, which approval shall not be withheld except for a reasonable cause.

EXHIBITION OF DETERMINATION.

17. This Determination shall be exhibited in a conspicuous place by each employer on his premises.

DEFINITIONS.

18. In this Determination unless a contrary intention appears—

“Foreman” shall mean and be deemed to be a person who is responsible for other employees' work, and has the power to engage or dismiss any person subject to the approval of the employer.

“Leading hand” is an employee who is authorized to exercise and does exercise supervision over the work of at least three other employees.

PERIODICAL ADJUSTMENT OF WAGES.

19. The adult 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, shall be automatically adjusted as prescribed by clause 20.

Basic Wage.

| Place. | Needs Basic Wage. (Adjustable). | Constant Loading. | Total Basic Wage. | Minimum Wage for Adult Females. |
|---|---------------------------------|-------------------|-------------------|---------------------------------|
| | £ s. d. | s. d. | £ s. d. | £ s. d. |
| Within 20 miles of G.P.O., Melbourne | 5 9 0 | 6 0 | 5 15 0 | 3 1 0 |
| Within 10 miles of G.P.O., Geelong, at Warrnambool, and in Mildura and Gippsland Districts | | | | |
| Elsewhere in Victoria—3s. and 1s. 6d. for adult males and females respectively less than the contemporaneous basic wage for Melbourne | | | | |

ADJUSTMENT OF BASIC WAGE.

20. (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 August, 1948, the amounts of the basic wage shall be as prescribed in clause 19.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February or a May, 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.

(d) *Juniors* :—The amounts of the weekly rates for male and females juniors are fixed upon a needs basic wage of 103s., and shall be adjusted proportionately to fluctuations of the needs basic wage for the particular area calculated to the nearest 6d., any broken part of 6d., in the result not exceeding 3d. to be disregarded and to be made on the following rates :—

| | Within 20 Miles of G.P.O., Melbourne; within 10 Miles of G.P.O., Geelong; in Warrnambool; and in Mildura and Gippsland Districts. | Elsewhere in Victoria. | Loading (Constant). |
|--------------------------------------|--|---------------------------|------------------------|
| | £ s. d. | £ s. d. | s. d. |
| Males— | | | |
| Under 17 years of age | 2 0 6 | 1 19 6 | 1 0 |
| 17 and under 18 years of age | 2 11 6 | 2 10 0 | 1 0 |
| 18 and under 19 years of age | 2 19 0 | 2 17 6 | 1 6 |
| 19 and under 20 years of age | 3 12 6 | 3 10 6 | 2 0 |
| 20 and under 21 years of age | 4 5 6 | 4 3 6 | 2 0 |
| Females— | | | |
| Under 18 years of age | 1 18 0 | 1 16 6 | .. |
| 18 and under 19 years of age | 2 7 6 | 2 6 0 | .. |
| 19 and under 20 years of age | 2 10 0 | 2 9 0 | .. |
| 20 and under 21 years of age | 3 1 0 | 2 19 0 | .. |

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

J. V. WILLOX, Secretary.

Melbourne, 22nd April, 1948.