



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 1025]

WEDNESDAY, NOVEMBER 30

[1949

Factories and Shops Acts.

## DETERMINATION OF THE ICE CREAM 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 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 as from the beginning of the first pay period to commence in November, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### 2. ORDINARY WORKERS.

* APPRENTICES OR IMPROVERS.				JUVENILE WORKERS.			
Wages per Week of 40 Hours.				Wages per Week of 40 Hours.			
<i>Males.</i>				<i>Males.</i>			
	Improvers.		Total Wage.		War Loading. (Not Adjustable.)		Total Wage.
	Ordinary Wage.	War Loading. (Not Adjustable.)			Ordinary Wage.	War Loading. (Not Adjustable.)	
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Under 16 years of age .. .. .	65 0	1 6	66 6	Under 16 years of age .. .. .	65 0	1 6	66 6
16-17 years of age .. .. .	75 0	2 0	77 0	16-17 years of age .. .. .	75 0	2 0	77 0
17-18 years of age .. .. .	81 6	2 6	84 0	17-18 years of age .. .. .	81 6	2 6	84 0
18-19 years of age .. .. .	99 6	3 0	102 6	<i>Females.</i>			
19-20 years of age .. .. .	128 6	3 6	132 0	Under 16 years of age .. .. .	62 6	1 6	64 0
20-21 years of age .. .. .	149 0	4 6	153 6	16-17 years of age .. .. .	72 0	1 6	73 6
<b>PROPORTION.</b>				17-18 years of age .. .. .	75 0	2 0	77 0
One male apprentice and one male improver to every three or fraction of three male workers receiving not less than 169s. per week of 40 hours.				18-19 years of age .. .. .	85 6	2 0	87 6
				19-20 years of age .. .. .	91 0	2 0	93 0
				20-21 years of age .. .. .	101 6	2 6	104 0
				<b>PROPORTION.</b>			
				Three female juvenile workers to every two female workers receiving 126s. per week of 40 hours.			

### ADULT EMPLOYEES.

Wages per Week of 40 Hours.			
<i>Males.</i>			
	Ordinary Wage.	War Loading. (Not Adjustable.)	Total Wage.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Pasteurizer .. .. .	174 0	5 0	179 0
Mixer .. .. .	167 0	5 0	172 0
Cooling, or .. .. .	168 6	5 0	173 6
Freezer .. .. .	174 0	5 0	179 0
Assistant to any of the above-mentioned operators .. .. .	168 6	5 0	173 6
Dixie .. .. .	174 0	5 0	179 0
Cup, or .. .. .	168 6	5 0	173 6
Chocolate bar .. .. .	172 0	5 0	177 0
Persons cutting and wrapping dry ice .. .. .	167 0	5 0	172 0
Mould cutter, by machine .. .. .	164 0	5 0	169 0
Mould cutter, by hand .. .. .	174 0	5 0	179 0
Can washer, floor hand, or person handling crushed ice .. .. .	168 6	5 0	173 6
All others .. .. .	172 0	5 0	177 0
<i>Females.</i>			
All adults .. .. .	123 0	3 0	126 0

\* NOTE.—The Board has determined that as from the 1st November, 1949, no apprentice shall be taken to the trade.  
No. 1025—10780/49.—PRICE 6D.

## SHIFT WORKERS.

3. Shift workers shall receive the wages prescribed in clause 2 for ordinary workers according to the class of work done plus an additional 3s. per shift.

## EMPLOYEES IN FREEZING CHAMBER.

4. (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 one hour on any day, shall be paid for all work (whether inside or outside the chamber) done on such day at the rate prescribed for Chamber hands by the Determination of the Frozen Goods Board. If employed under such conditions for less than an aggregate of one hour on any day he shall receive the rate prescribed by the Determination of the Frozen Goods Board 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 not more than 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 protective gloves with woollen inner gloves.

## DEFINITIONS.

5. (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 articles not over 4 oz. in weight; moving goods for packing; counting, wrapping or sealing up to six dozen containers; filling ice cream cups or similar vessels; chocolate dipping; or wrapping any article intended for consumption: Provided that mould filling shall not be performed by females.

(b) An ordinary worker is an employee who usually commences and completes his day's work between the hours of 7 a.m. and 5 p.m. on Monday to Friday inclusive.

(c) A shift worker is any employee other than an ordinary worker.

## HOURS OF EMPLOYMENT.

6. The ordinary hours for a week's work shall be 40 per week, to be worked in five days of eight hours each Monday to Friday inclusive.

## OVERTIME.

7. Time and a half, based on the total wage shown for each class of employee in clause 2, shall be paid for all work done—

(i) By shift workers—

(a) In excess of four hours on Saturday and seven hours twelve minutes on other days } Where an ordinary week's work is worked in six week days.

(b) On Saturdays, and in excess of eight hours on other days } Where an ordinary week's work is worked in five days (Monday to Friday).

(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 eight hours on Monday to Friday.

(c) On Saturday.

An employer may require any employee to work reasonable overtime at overtime rates and the employee shall work overtime in accordance with such requirement.

## SPECIAL RATES.

8. (a) 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, Good Friday, Easter Monday, 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 only be payable for work done on the day so substituted.

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

## TIME WAGES.

9. Any person ready, available, and willing to work, 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.

## MEAL BREAK.

10. A lunch period of at least 45 minutes shall be fixed in each factory for each employee, other than shift workers, between the hours of noon and 1.30 p.m.

## MEAL ALLOWANCE.

11. Any employee required to work overtime for one hour or more on any day shall be paid 2s. meal money unless a meal is provided by the employer.

## PROVISION OF CLOTHING.

12. 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.

## CONTINUITY OF WORK.

13. The work of each day shall be continuous with the customary break of not more than one hour for a meal.

## TIME BOOK AND WAGE RECORD.

14. 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. In addition to such time record every employee shall be required by the employer to sign each week a wage book or other record showing the total amount received as wages for such week.

## UNION INSPECTION.

15. 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.

## SPECIAL CONDITIONS.

16. (i) 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.

(ii) Protective footwear and clothing shall be provided by the employer for can washers, mould washers and mould pullers.

## PROHIBITION OF NIGHT WORK FOR FEMALES.

17. No female employee shall be employed between the hours of 9 p.m. on one day and 6 a.m. on the following day.

## ANNUAL HOLIDAYS.

18. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act 1946* (No. 5111).

## SICK LEAVE.

19. (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 proportionate less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed 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.

For the purpose of this sub-clause service prior to 6th June, 1946, shall be disregarded.

## MINIMUM HOURS OF WORK.

20. An employee who has commenced work on any day and is available ready and willing to continue working on that day, shall be entitled to payment for at least four hours at ordinary rates.

## TERMINATION OF EMPLOYMENT.

21. (a) Notice equivalent to 40 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 40 working hours' notice, except in circumstances referred to in sub-clause (a) hereof the employer may pay 40 hours' wages and vice versa, the employee leaving his or her employment without giving prior notice as prescribed shall forfeit 40 hours' wages which may be deducted from any wages due.

## REST PERIOD.

22. An interval of ten minutes each morning and afternoon at a time mutually arranged shall be given as a rest period to all employees and shall be counted as time worked.

## PERIODICAL ADJUSTMENT OF WAGES.

23. 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 24. Provided that the wages of adult females shall be 75 per cent. of the ordinary wage for "All others" males, plus the war loading specified, and the wages of all junior employees shall be adjusted from time to time by increasing or decreasing the said rates in the same proportion as the amount of increase or decrease of the male basic wage bears to the basic wage current immediately prior to the adjustment. Such adjustments shall be calculated to the nearest sixpence half or less than half of sixpence to be disregarded.

## Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned
	£ s. d.	£ s. d.	£ s. d.	
Within the area to which this Determination applies ..	6 4 0	0 6 0	6 10 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

24. (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, 1950, the amounts of the Basic Wage shall be as prescribed in clause 23.

(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. WILLOX, Secretary.

Melbourne, 19th October, 1949.





# VICTORIA GOVERNMENT GAZETTE.

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No. 1026]

WEDNESDAY, NOVEMBER 30.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE STOREMEN, PACKERS, AND SORTERS 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 now has the power to determine the lowest prices or rates which may be paid—

(a) to any person employed—

- (i) as a Storeman, Packer, or Sorter ;
- (ii) in assisting a Storeman, Packer or Sorter ;
- (iii) as an assembler, collector, or checker of goods in course of receipt or despatch

(b) to any person or persons or classes of persons employed at wiping eggs in any place where eggs are stored, sorted, or packed for trade or sale—

but not including any persons subject to the jurisdiction of any of the following Boards :—

Aerated Water Trade Board	Furniture Board (Wood Mantelpiece or Overmantel)	Printers Board (Provincial)
Agricultural Implements Board	Glassworkers Board	Retail Dairy Board
Bedstead Makers Board	Grocers Sundries Board	Rubber Trade Board
Biscuit Board	Ham and Bacon Curers Board	Shops Board No. 1 (Boot Dealers)
Boarding Houses Board	Hotel and Restaurant Board	Shops Board No. 7 (Country Shop Assistants)
Brewers Board	Ice Board	Shops Board No. 9 (Drapers and Men's Clothing)
Butter Board	Jam Trade Board	Shops Board No. 12 (Fuel and Fodder)
Butter Factories Board	Leather Goods Board	Shops Board No. 13 (Fuel and Fodder—Country)
Cardboard Box Trade Board	Marine Stores Board	Shops Board No. 14 (Furniture Dealers)
Cigar Trade Board	Meat Preservers Board	Shops Board No. 15 (Grocers)
Condenseries Board	Millet Broom Board	Shops Board No. 16 (Hardware)
Confectioners Board	Nailmakers Board	Slaughtering for Export Board
Cordage Board	Paper Board	Tea Packing Board
Fellmongers Board	Paper Bag Trade Board	Tinsmiths Board
Flock Board	Pastrycooks Board	Wholesale Grocers Board
Flour Board	Plate Glass Board	Wireworkers Board
Flour Board (Country)	Pottery Board	Woodworkers Board
Frozen Goods Board	Printers Board	Woollen and Cotton Trade Board
Fruit Packing Board	Printers Board (Country)	
Furniture Board (Picture Frames)		

has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence in November, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

**PART I.  
WAGE RATES.**

ALL PLACES OTHER THAN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

**2. APPRENTICES AND IMPROVERS.**

	Wages Per Week of 40 Hours.					Number (in any place).
	Males.		Females.			
	Bread-making Establishments.	Any Other Place.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woollens, or Woollen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place.	
	s. d.	s. d.	s. d.	s. d.	s. d.	
Under 16 years of age	105 6	34 0	40 3	37 3	34 0	<p><b>APPRENTICES.</b> One apprentice to every three or fraction of three workers of the same sex receiving not less than the minimum wage. An indenture of apprenticeship prescribed by the Board was approved on 24th May, 1923.</p> <p><b>MALE IMPROVERS.</b> <i>Egg Packing Establishments.</i> One male improver to every two or fraction of two male workers receiving not less than 175s. per week of 40 hours. <i>Any Other Place.</i> One male improver to every four or fraction of four male workers receiving not less than 157s. per week of 40 hours.</p> <p><b>FEMALE IMPROVERS.</b> <i>Laundries.</i> One female improver to every three or fraction of three female workers receiving not less than 102s. 3d. per week of 40 hours. <i>Establishments in which are sorted waste pieces or clippings of cottons, silks, woollens, or woollen and cotton pieces.</i> Two female improvers to every three or fraction of three female workers receiving not less than 99s. 3d. per week of 40 hours. <i>Egg Packing Establishments.</i> One female improver to every three or fraction of three female workers receiving not less than 114s. 9d. per week of 40 hours. <i>Any Other Place.</i> One female improver to every four or fraction of four female workers receiving not less than 93s. per week of 40 hours.</p>
16 to 17 years of age		46 6	46 6	49 6	46 6	
17 to 18 years of age		62 0	52 9	55 9	52 9	
18 to 19 years of age		86 9	59 0	65 0	59 0	
19 to 20 years of age		134 3	108 6	71 3	68 3	
20 to 21 years of age	155 3	132 3	80 6	83 9	77 6	

Provided that any female improver employed packing or sorting laundry-work shall, after completing three years' experience, be paid the wage fixed for an adult.

**3. OIL GREASE, AND PETROLEUM PRODUCTS STORES ONLY.**

**JUNIOR RATES.**

Wages Per Week of 40 Hours.

	s. d.
Under 16 years of age	51 0
16 to 17 years of age	64 0
17 to 18 years of age	74 0
18 to 19 years of age	89 0
19 to 20 years of age	115 0
20 to 21 years of age	135 0

(a) Provided that any youth called upon to stack full cases more than three high, to stack barrels, or to lift any weight over 1 cwt. shall be classed as an adult and entitled to receive the adult rate of pay whilst so engaged.

(b) Provided further that no employee under 21 years of age shall be employed on the filling of rail or road tank waggons.

**4. (a) OTHER EMPLOYEES.**

**MALES.**

**IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.**

	Wages Per Week of 40 Hours.
	s. d.
(i) Storemen or Packers	156 0
Leading hands—as defined in clause 22 hereof—	
(I.)	161 0
(II.)	166 0
(III.)	166 0
(IV.)	176 0

(ii) Casual hands shall be paid at the rate per hour of 4s. 9½d. adjustable under clause 54 hereof.

4. (b) IN (OR ON) ANY PLACE OTHER THAN—(i) OIL, GREASE, AND PETROLEUM PRODUCTS STORES, AND (ii) TOOL AND/OR MATERIAL STORES CONNECTED WITH METAL MANUFACTURERS' STORES, ELECTRICAL GOODS MANUFACTURERS' STORES, AND ENGINEERING ESTABLISHMENTS, OR WHERE EMPLOYEES ARE IN CHARGE OF, OR ISSUE STORES AND TOOLS FOR USE IN SUCH ESTABLISHMENTS.

Column No.	Males employed in (or on) or in connexion with—											
	Wharf, Wharf Sheds, Customs Shed, or Fumigating Sheds.	Potato or Onion Stores.	Bond or Free Stores or Establishments engaged in the General Bulk Storage Business.	Lime, Cement, Plaster Stores, or Fibrous Plaster Stores.	Wholesale Soft-goods Warehouses.	Book Factories or Wholesale Chemists' or Manufacturing Chemists' Establishments.	Bread-making Establishments.	Bag (Hessian, Jute or Cotton) Stores, Tobacco, Paint, Painters' Oils, Colour and Varnish Stores.	Machinery Stores.	Dye Stores other than Dye Stores connected with the business of dyeing or the manufacture of piece-goods or apparel.	Seed Stores.	Any Other Place.*
	WAGES PER WEEK OF—											
	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.	40 Hours. s. d.
Any person engaged as a Storeman, Packer, or Sorter who (notwithstanding he may be under the orders of a superior who does not devote the whole of his time to supervising the storing, packing, or sorting)—												
(a) Works singly ..	173 0	164 8	161 6	160 0	157 0	159 6	170 0	159 6	161 6	169 0	157 0	161 6
(b) Supervises or directs the number of persons 18 years of age or over indicated hereunder, viz. :—												
(a) 1, 2, 3, 4, 5, or 6 such persons ..	173 0	164 8	161 6	162 6	159 3	161 9	176 3	161 9	168 9	171 3	159 3	163 9
(b) 7 or more such persons ..	173 0	164 8	161 6	176 6	173 9	176 6	190 9	176 6	177 9	185 3	181 9	177 9
Operator of power driven fork lift or similar mobile power driven stacking machine or device ..	168 0	168 0	168 0	168 0	168 0	168 0	168 0	168 0	168 0	168 0	168 0	168 0
Storeman in charge of a bulk store removed from the main place of business ..	..	..	..	..	157 0	159 6	..	159 6	161 6	169 0	157 0	161 6
Packers of crockery, china, or glassware ..	..	..	..	..	..	..	..	..	..	..	..	160 3
Packers of metal window frames ..	..	..	..	..	..	..	..	..	..	..	..	157 0
Persons handling pianos, piano-players, or organs ..	..	..	..	..	..	..	..	..	..	..	..	157 0
Persons engaged in egg packing establishments ..	..	..	..	..	..	..	..	..	..	..	..	175 0
All male adults not otherwise provided for ..	173 0	164 8	161 6	157 0	154 0	155 0	170 0	155 0	157 0	165 9	155 0	157 0

(ii) \* A storeman and/or packer required to mix and/or blend dye stuffs for sale shall be paid 10s. in addition to the appropriate rate herein provided.

(iii) Any person called upon to handle paris green or aluminium bronze in loose form, or soda ash other than in metal containers shall be paid at the rate of 6d. per hour in addition to the weekly rate.

(iv) Storemen or packers called upon to work in cool stores shall be paid 5s. 4 1/2d. per hour whilst so employed. This rate includes 1 1/4d. as a war loading. Such war loading shall not be taken into account when computing overtime or holiday pay.

NOTE.—The rates set out in column No. 12 of 4 (b) (i) hereof apply to males employed—

(a) As storemen in Figured, Roll, and Sheet Glass Stores.

(b) In (or on) or in connexion with—

- (i) Bulk paper stores or rubber goods manufacturers' stores.
- (ii) Iron yards in which steel or iron bars, plates, pipes or sheets, black or galvanized, are handled.
- (iii) Hardware stores.
- (iv) Electrical goods stores (wholesale or retail establishments) other than electrical goods manufacturers' stores.
- (v) Match factory stores.
- (vi) Wholesale confectionery stores.
- (vii) Bulk salt stores, stores in which stoves are stocked (except stove or oven manufacturers' stores) and stores in which sausage casings are stored, packed or sorted.
- (viii) Stove or oven manufacturers' stores.
- (ix) Dye stores connected with the business of dyeing, or the manufacture of piece-goods or apparel; and
- (x) Any place not elsewhere included in clause 4 (b) or 4 (c).

4. (c) TOOL AND/OR MATERIAL STORES CONNECTED WITH METAL MANUFACTURERS' STORES, ELECTRICAL GOODS MANUFACTURERS' STORES, AND ENGINEERING ESTABLISHMENTS, OR WHERE EMPLOYEES ARE IN CHARGE OF, OR ISSUE STORES AND TOOLS FOR USE IN SUCH ESTABLISHMENTS.

	Wages Per Week of 40 Hours.		
	Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	s. d.	s. d.	s. d.
Tool Storeman (i.e., an adult male employee in charge of receiving storing and issuing of tools and other requirements in a tool store)	153 0	159 6	150 0
Storeman and/or Packer ..	167 6	164 0	154 6

4. (d)	FEMALES.			
	Females Employed in or in Connection with—			
	Manufacturing Chemists' Factories.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woolens, or Woollen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place.
	40 Hours.	Wages per 40 Hours.	Week of— 40 Hours.	40 Hours
	s. d.	s. d.	s. d.	s. d.
Any person engaged as a female Packer or Sorter who (notwithstanding she may be under the orders of a superior who does not devote the whole of his time to supervising the storing, packing, or sorting)—				
(a) Works singly .. .. .	96 0	108 6	114 9	96 0
(b) Supervises or directs the number of persons 18 years of age or over, indicated hereunder, viz.:				
(i) 1, 2, 3, 4, 5, or 6 such persons .. .. .	102 3	114 9	121 0	102 3
(ii) 7 or more such persons .. .. .	117 9	125 9	133 0	117 9
Females employed packing or sorting laundry work .. .. .	..	..	..	102 3
Packers of crockery, china, or glassware .. .. .	..	..	..	114 9
Egg Packers, Sorters, or Testers—				
With less than eight weeks' experience .. .. .	..	..	121 6	..
With eight weeks' or more experience .. .. .	..	..	131 3	..
All female adults not otherwise provided for .. .. .	93 0	99 3	99 3	93 0

**PART II.**

**PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.**

**5. SPECIAL RATES.**

- In addition to the wages prescribed in clauses 3 and 4 of this Determination the following special rates shall be paid:—
- (a) When not more than two storemen and packers are employed for more than half an hour handling or rolling barrels or drums weighing over 5 cwt., they shall be paid 6d. per hour extra whilst so employed.
  - (b) *Confined Space.*—Employees working in a confined space as defined in clause 22 hereof, 3d. per hour extra.
  - (c) *Dirty Work.*—Employees performing dirty work as defined in clause 22 hereof, 3d. per hour extra.
  - (d) *Cumulative Rates.*—Where an employee performs work which is covered by sub-clauses (b) and (c) of this clause the rates shall be cumulative so as to provide a total rate of 6d. per hour for dirty work performed within a confined space.

**6. HOURS.**

- (a) Forty hours shall constitute a week's work, and they shall be worked as follows:—  
Not more than eight hours per day from Monday to Friday, both inclusive, and not more than four hours on Saturday to be worked between the hours of 7 a.m. and 5.30 p.m. Monday to Friday, both inclusive, and between the hours of 7 a.m. and noon on Saturday.
- (b) Provided that it shall be optional for an employer to work either a six-day or a five-day week. When a five-day week is worked, the daily hours on Monday to Friday, both inclusive, shall not exceed 8 hours 48 minutes, within the hours provided in the immediately preceding paragraph, without the payment of the overtime rate.
- (c) Subject to the above, the hours of starting and knocking off may be fixed by each employer, but having once been fixed they shall not be altered without seven days' notice to the employees.

**7. SHIFT WORK.**

- (a) Where the industry necessitates a continuous process, three shifts of eight hours each may be worked. Employees working on such shifts shall be paid 8s. per week in addition to the rates prescribed in clauses 3 and 4 hereof.
- (b) Employees required for duty in connection with the loading of tank waggons and fully assembled composite waggons with petroleum products in bulk or drums or packages may be employed on shifts provided that such shift work extends over one calendar month, and when so employed shall be paid 8s. per week in addition to the rates prescribed in clauses 3 and 4 hereof.
- (c) Five shifts of not more than eight hours including crib time of half an hour and one shift of not more than four hours or five shifts of not more than eight hours 48 minutes, including crib time of half an hour shall constitute a week's work.
- (d) Overtime shall be calculated in accordance with the provisions of clause 8 of this Determination.

**8. OVERTIME.**

- (a) For all work done on Sundays, Holidays and after 12.30 p.m. Saturdays the rates of pay shall be double time.
- (b) For all work done outside ordinary hours except as provided in sub-clause (a) hereof, the rates of pay shall be time and a half for the first three hours and double time thereafter, such double time to continue until the employee has been released from duty.
- (c) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time shall be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.
- (d) An employee recalled to work overtime after leaving his employer's business premises shall be paid for a minimum of three hours work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period.
- (e) For all work done during supper, breakfast or lunch hours and thereafter until a full meal break is allowed double time shall be paid.

**Compulsory Overtime.**

- (f) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

**9. MEAL HOURS.**

- (a) One hour on Monday to Friday, both inclusive, shall be allowed for each meal except tea, provided that should any employer and any employee agree, the meal hour may be shortened to meet the exigencies of transport or for the purpose of more effectively operating either a rostered five day working week or a five day working week.
- (b) The hours for breakfast and lunch shall be fixed in each case by mutual arrangement, but having once been fixed, they shall not be altered without seven days' notice to the employees.
- (c) Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a tea break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.
- (d) The interval for supper shall be between midnight and 1 a.m.



**PART II.—continued.****10. MEAL ALLOWANCE.**

A weekly or casual employee required to work overtime for more than one and a half hours after his usual knock off time shall either be supplied with a meal by the employer or be paid 2s. for each meal.

**11. HOLIDAYS.**

(a) Weekly employees shall be entitled without deduction of pay to the holidays observed in respect of—Union Picnic Day to be held on a day to be mutually agreed upon between the union and the employers or, if no agreement is reached, at a date to be fixed by the Wages Board—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day, Boxing Day and one other holiday on the day fixed as follows:—Within 25 miles of the General Post Office, Melbourne—Melbourne Cup Day, elsewhere any day agreed by the employer and employee concerned or fixed by the Wages Board.

(b) Provided that in addition to the above mentioned holidays all gazetted public holidays upon which Railway Goods Yards are closed for the receipt of ordinary goods shall be observed as holidays.

**12. ANNUAL LEAVE.**

(a) Employees shall be entitled to two weeks' leave, exclusive of any public holidays as provided in clause 11, on full pay at the expiration of each twelve months' service. The annual leave provided by this clause shall be allowed, and shall be taken within three months of such leave falling due, and payment shall not be made or accepted in lieu of annual leave.

Provided that when an employee leaves or is dismissed before the expiration of twelve months, he shall be paid one-sixth of a week's wages for each month of completed service.

(b) Each employee, before going on leave, shall be paid two weeks' wages. For the purpose of this sub-clause the two-weeks' wages shall be at the rate at which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment as the case may be.

(c) When the right to annual leave has accrued the employer shall give not less than one week's notice to the employee concerned of his intention to grant such leave.

**13. TERMS OF ENGAGEMENT.**

(a) Employees are to be engaged either as weekly or casual hands.

(b) In the case of casual hands the engagement shall be terminable at any time by either party. In the case of weekly hands the engagement shall be terminable by a week's notice on either side. Provided that any employee, being incompetent, disobedient or misconducting himself may be dismissed without notice.

(c) Men engaged for stacking ex ship shall be deemed to be casual hands during the whole time they are engaged on such work.

(d) Where an employer is not satisfied as to the reason of an employee absenting himself from work he may deduct from the wages of such employee the time he has been so absent, unless the employee produces a medical certificate or other satisfactory evidence of sickness if required by the employer, in which case the employer shall make no deduction for such sickness. Should any dispute as to satisfactory evidence of sickness occur it shall be determined by the Wages Board. Provided that should an employee remain absent for more than six days in all during any calendar year the employer may thereafter make such deduction.

(e) Casual employees who are instructed to report for work at a stipulated time, and who report for work at such time, but for whom work is not available within 30 minutes of the said stipulated time, shall be paid ordinary casual rates from the said stipulated starting time.

(f) In the event of a casual worker being instructed to report for work and his services are not required, he shall be paid for two hours at casual rates.

**14. PAYMENT OF WAGES.**

(a) The payment of weekly employees shall be made during working hours in each week on a day suitable to the employer. Provided that in the case of weekly employees two days' wages may be kept in hand.

(b) Casual hands shall be paid at the time of their services being dispensed with and at the place where the work has been performed.

**15. DUAL CAPACITY.**

(a) Where a weekly employee is put to work temporarily at a classification higher than that under which he was engaged or deemed to be working, he shall be paid as follows:—

(i) Up to four hours on any one day—the rate prescribed for such higher classification with a minimum of one hour;

(ii) Over four hours on any one day—a full day's pay at the rate prescribed for such higher classification;

(iii) Over 22 hours in any one week—a full week's pay at the rate prescribed for such higher classification.

(b) A weekly employee shall not suffer any deduction in wages during any week by reason of his having been put to work for a part of such week at a classification lower than that under which he was engaged or deemed to be working.

**16. TRAVELLING TIME.**

(a) In the case of the engagement of casual labour the time during which the employee is travelling from the place of engagement to the place of employment, or waiting at the job after engagement, shall be treated as ordinary time of duty in addition to the time of actual work. Provided that such travelling time shall not exceed 30 minutes.

(b) Where circumstances arise necessitating a longer period of travelling time than 30 minutes the extra time so required shall be paid for. Should any dispute arise as to whether payment should be made such dispute shall be determined by the Wages Board.

**17. SMOKE-OHS.**

Employees shall be allowed smoke-oh periods of ten minutes during each period of at least 4 hour ordinary working time. This provision shall also apply to work performed on Saturday afternoons, Sundays and holidays.

**18. FIRST AID.**

In each establishment the employer shall provide a properly equipped first aid chest at a place reasonably accessible to all employees. Such a chest shall, as to its contents, comply with any Act or Regulation in force from time to time.

**19. FARES.**

Transport from store to store in the employers' time shall be arranged by the employers at their own expense or the actual expense incurred shall be paid by the employers.

**20. FOOTWEAR.**

Suitable and approved footwear shall be provided for employees whilst engaged in places where employers require special footwear to be used.

**21. DINING ROOM.**

The employer shall provide a suitable place in which the employee may change his clothing and eat his meals. In any case in which the employer objects that it is impracticable or unreasonable to make such provision, or in which the suitability of the place is called in question, the matter shall be determined by the Wages Board.

**PART II.—continued.**

22.

**DEFINITIONS.**

(a) A "Storeman and Packer" shall mean every employee engaged in the work of receiving, stacking, storing, packing, delivering or handling in any way whatsoever petroleum products, equipment or other merchandise sold, used or employed in connexion with a petroleum merchant's business.

(b) A "Leading Hand" shall be an employee who :—

- (i) has 1 or 2 employees under his supervision.
- (ii) is in charge of a store.
- (iii) is in charge of 3-9 employees.
- (iv) is in charge of 10 or more employees.

(c) "Confined Space" shall mean a working place, the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.

(d) A "Casual Hand" shall be one whose period of engagement is less than two weeks.

(e) "Dirty Work" shall mean handling the following substances other than in closed containers—Agrol, Sulphuric Acid, Graphite, Aluminium Stearate, and filling and handling lime sulphur; also, subject to the proviso hereinafter mentioned, other work which a foreman and a workman shall agree is of an unusually dirty or offensive nature. In cases of disagreement between a foreman and a workman, the workman or a shop steward on his behalf shall be entitled within 24 hours to ask for a decision on the workman's claim by the executive officer responsible for the management or superintendence of the plant concerned. In such a case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day) or else the said allowance shall be paid. In any case, where the Union alleges that an employer or his representative is unreasonable or capricious in relation to such claims he shall have the right to bring such case before the Wages Board.

Provided that the normal handling of materials used in the oil industry other than those listed above shall not be regarded as work of an unusually dirty or offensive nature.

**PART III.****PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN BOND OR FREE STORES OR ESTABLISHMENTS ENGAGED IN THE GENERAL BULK STORAGE BUSINESS.****TERMS OF ENGAGEMENT.**

23. (a) Employees are to be engaged as weekly or casual employees. A weekly employee is one engaged by the week, and paid by the week, and whose engagement shall be terminable by one week's notice on either side, notice not to be continued from week to week.

(b) Such notice shall be given on and take effect from pay day, or, in lieu of such notice, a week's pay shall be given.

(c) Where a weekly employee is engaged on any day other than the day immediately following pay day, he shall be entitled to casual rates for the broken portion of the week worked by him.

(d) A casual employee is one whose period of engagement is for less than four weeks, and whose engagement may be terminated at any time.

(e) Casual employees shall be guaranteed not less than two hours' work every start.

(f) Weekly employees may be summarily dismissed by the employer for dishonesty, misconduct, or for absence from work without reasonable cause, without liability to pay for more than actual time worked.

(g) Where an employer is not satisfied as to the reason of an employee absenting himself from work, he may deduct from the wages of such employee the time he has been so absent, unless the employee produces a medical certificate of sickness if required by the employer; in which case the employer shall make no deduction for such sickness. Provided that should an employee remain absent for more than six days in all during any calendar year the employer may thereafter make such deduction

**CASUAL WORK.**

24. Casual employees, i.e., persons employed in Bond or Free Stores or Establishments engaged in the general bulk storage business for less than four weeks, shall be paid at the rate of 4s. 6 $\frac{1}{2}$ d. per hour, and such employees shall be guaranteed not less than two hours' work at every start.

**HOURS.**

25. The working hours shall not exceed 40 per week to be worked between the hours of 7.30 a.m., and 5.30 p.m. on Monday to Friday inclusive and 7.30 a.m. to noon on Saturday, provided that a week's notice shall be given by the employer to the hands concerned of intention to change the usual hours of starting and finishing.

Different starting and finishing times may be fixed in distinct departments in the same establishment of the employer but not for men working together in the same department.

**OVERTIME.**

26. Overtime shall be paid to both weekly and casual employees for all work done before the usual starting time, and after the usual finishing time, at the rate of time and a half for the first three hours and double time thereafter.

Provided that after noon on Saturday casual employees shall be paid double rates, and after 12.30 p.m. on Saturday weekly employees shall be paid double rates.

**SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.**

27. (i) 6s. per hour shall be paid for all work done on Sunday, Christmas Day, or Good Friday, and (ii) for all work done on all other statutory or gazetted public holidays observed by the Customs Authority, weekly employees shall be paid at the rate of double time in addition to their weekly wage and casual employees shall be paid at the rate of double time.

**HOLIDAYS.**

28. All statutory and gazetted public holidays observed by the Customs Authority shall be recognized holidays without any deductions from the weekly wages to be paid under this Determination.

**MEAL HOURS.**

29. Meal hours shall be as follows :—

- Dinner : One hour between noon and 2 p.m.
- Tea : 5 p.m. to 6 p.m.

Each employer shall fix the meal hour, which shall not be altered without seven days' notice to the employees.

**MEAL HOUR RATES.**

30. All meal hours if worked shall, except as otherwise provided, be paid for at double rates, such rates to be continued until such time as the meal hour has been allowed, provided that should work not continue after 6 p.m. meal hour rates shall not apply.

**MEAL ALLOWANCE.**

31. Employees called upon to work overtime after 6 p.m. on Monday to Friday or 1 p.m. on Saturday shall receive a meal allowance of 2s.

**PART III.—continued.****ANNUAL LEAVE.**

32. (a) Employees shall be entitled to two weeks' leave exclusive of any public holidays as provided in clause 28 on full pay at the expiration of each twelve months' service. The annual leave provided by this clause shall be allowed and shall be taken within three months of such leave falling due and payment shall not be made or accepted in lieu of annual leave; provided that when an employee leaves or is dismissed before the expiration of twelve months' service but on or after completing six months' service he shall be paid one sixth of two weeks' wages for each completed two months' service.

(b) Each employee before going on leave shall be paid two weeks' wages. For the purpose of this sub-clause the two weeks' wages shall be at the rate at which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment as the case may be.

(c) When the right to annual leave has accrued the employer shall give not less than one week's notice to the employee concerned of his intention to grant such leave.

**CARRYING HEAVY GOODS.**

33. Casual employees when receiving and carrying continuously for one hour or more bagged stuff, case goods, or other packages exceeding 130 lb. in weight shall be paid 6d. per hour above the ordinary rates, provided that when carrying 10-bushel bags of bran, both temporary employees and weekly employees shall be paid 9½d. per hour above the ordinary rates.

**PART IV.****PROVISIONS APPLICABLE TO PERSONS EMPLOYED IN TOOL AND/OR MATERIAL STORES CONNECTED WITH METAL MANUFACTURERS STORES, ELECTRICAL GOODS MANUFACTURERS STORES, AND ENGINEERING ESTABLISHMENTS, OR WHERE EMPLOYEES ARE IN CHARGE OF, OR ISSUE STORES AND TOOLS FOR USE IN SUCH ESTABLISHMENTS.**

34. The conditions (other than wages rates) of employees covered by this part shall be those (if applicable) of the general body of employees in the establishment.

**PART V.****PROVISIONS APPLICABLE TO PERSONS OTHER THAN THOSE EMPLOYED IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES, OR IN BOND OR FREE STORES OR ESTABLISHMENTS ENGAGED IN THE GENERAL BULK STORAGE BUSINESS.****TERMS OF ENGAGEMENT.**

35. (a) Employees are to be engaged as weekly or casual employees. A weekly employee is one engaged by the week and paid by the week, and whose engagement shall be terminable by one week's notice on either side, such notice not to be continued from week to week.

(b) After one full week's work, such notice may be given to or by a weekly employee at any time, or one week's wages may be paid or forfeited, as the case may be, in lieu thereof.

(c) Casual employees shall be guaranteed not less than two hours' engagement every start.

(d) A weekly employee to be entitled to the weekly wage shall be available, ready, and willing to perform his or her usual work during the days and hours usually worked by such class of employee, and may be summarily dismissed for dishonesty, misconduct, neglect of duty, or for absence from work without reasonable cause, and in the event of such dismissal the employee shall be paid only for the time actually worked. Provided that an employer may deduct payment for time lost during which the employee cannot be usefully employed by reason of any strike, breakdown of machinery, or other cause for which the employer cannot reasonably be held responsible.

(e) Any employee not attending for duty shall lose his pay for the actual time lost unless such employee has had not less than three months' service with the same employer, and produces or forwards within twenty-four 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 grounds of personal ill-health or accident for more than 40 hours of working time in each year. Provided that he shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation. For the purpose of administering this sub-clause, "year" means the period between the 1st July and the next following 30th June.

(f) Notwithstanding anything contained in sub-clause (e) hereof, if the full period of sick leave therein prescribed has not been taken in any year, such portion of the sick leave which was or is not taken shall be cumulative from year to year up to a period not exceeding 120 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay. For the purpose of administering this sub-clause, service prior to the 1st July, 1945, shall not be taken into account.

**ORDINARY HOURS FOR A WEEK'S WORK.**

36. (a) The ordinary hours for a week's work shall be 40 except in the case of any week in which any of the holidays specified in clause 42 occur.

(b) In any such week the ordinary hours of work shall be reduced by the number of hours regarded as an ordinary day's work for any day on which any of the said holidays occur.

**CASUAL WORK.**

37. Casual work, i.e., work for less than two full weeks, other than in potato or onion stores, shall be paid for at the following rates:—

On wharfs or in wharf sheds, customs railway sheds, or fumigating sheds ..	Ordinary wages rate with an addition of twenty per cent. calculated to the nearest ¼d., half or less than half of ¼d. to be disregarded.
Elsewhere, except in potato or onion stores .. .. .	Ordinary wages rate with an addition of thirty-three and one-third per centum.

**HOURS OF WORK FOR ALL PERSONS OTHER THAN THOSE EMPLOYED IN BREAD-MAKING ESTABLISHMENTS.**

38. Hours of work for all persons other than those employed in Bread-making Establishments shall be:—

	Times of Beginning.	Times of Ending.
(a) On the ordinary working days of the week .. .. .	7 a.m.	6 p.m.
On Saturday .. .. .	7 a.m.	Noon in bulk paper, bulk lime, or cement stores. 12.30 p.m. in any other place.

An employer shall not alter the starting and finishing times in his establishment without giving one week's notice.

(b) The ordinary hours shall be worked on five days of not more than eight hours (Monday to Friday, inclusive), and one day (Saturday) of not more than four hours; or five days (Monday to Friday, inclusive) of eight hours, each continuously, except for meal breaks, at the discretion of the employer.

**HOURS OF WORK IN BREAD-MAKING ESTABLISHMENTS.**

39. The number of hours to be worked in Bread-making Establishments on each night between 9 p.m. and 7.30 a.m. shall exceed—

On ordinary nights .. .. .	7 hours.
On double nights (i.e., nights on which bread for more than one day's consumption is produced) ..	10 hours.

**PART V.—continued.****OVERTIME.**

40. (i) The following rates shall be paid for all work done—
- (a) by persons employed in Bread-making Establishments—  
 In excess of the number of hours fixed in clause 39, or  
 In excess of the ordinary hours for a week's work prescribed in clause 36 } Time and a half.
- (b) by all other persons—  
 Outside the times of beginning and ending work  
 as prescribed in clause 38 (a), or, in excess of the spread of the ordinary hours prescribed  
 in clause 38 (b) or within such spread in excess of 40 hours in any week } Time and a half for the first three hours, and double time thereafter. When double time becomes payable it shall continue until the completion of the overtime work.
- (ii) An employee recalled to work overtime after leaving his employer's business premises shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period.

**SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.**

41. Double time shall be the rate for all work done on Sunday New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (in industries named in the Second Schedule to the *Anzac Day Act 1928*), King's Birthday, Christmas Day, and Boxing Day: provided that Melbourne Cup Day shall be substituted for King's Birthday for persons employed in laundries within the Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; provided further that in any case where Melbourne Cup Day has been substituted as a holiday, as provided for in clause 42, the special rate herein provided shall operate on such day in lieu of 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 days so substituted.

**HOLIDAYS.**

42. Weekly employees shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday (provided that Melbourne Cup Day shall be substituted for King's Birthday for persons employed in laundries within the Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder), Christmas Day, Boxing Day, Easter Saturday (except those employed in establishments in which perishable goods are handled), and the Picnic Day or Trade Holiday fixed for the majority of the employees in any establishment. Provided that where a Picnic Day has been fixed for the majority of the employees in any section of an establishment, storemen, packers or sorters who are employed for the majority of their time in such section shall be entitled to the same day.

Provided that within the Metropolitan District as defined in the Factories and Shops Acts, Melbourne Cup Day may be substituted for King's Birthday by agreement between the Secretary of the Federated Storemen and Packers Union and any employer concerned.

If any of the above holidays occurs on a Sunday or Saturday, and is not observed on any other day, then employees shall not be paid for such Sunday or Saturday but in an establishment where the ordinary hours are worked in 5½ days shall be paid for such Saturday as for a half-day, but not otherwise.

All employees working on piecework shall be granted the same holidays as are provided for weekly wage workers, and they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage as set out in this Determination for the class of work performed.

**PERSONS EMPLOYED IN POTATO OR ONION STORES FOR LESS THAN FULL WEEK.**

43. Persons employed in potato or onion stores, who work less than the number of hours fixed for an ordinary week's work, shall be paid not less than the ordinary wages rate calculated *pro rata*, according to the number of hours worked.

**ANNUAL LEAVE.***Period of Leave.*

44. (a) Except as hereinafter provided a period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee in any one or more of the occupations to which this Part of this Determination applies.

*Annual Leave Exclusive of Public Holidays.*

(b) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 42 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day, there shall be added to that period one working day for each such holiday falling as aforesaid.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work on the working day immediately preceding the first day or at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, he shall not be entitled to be paid for any such holiday.

*Broken Leave.*

(c) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

*Calculation of Continuous Service.*

(d) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

- (i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 35 (e) shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

**PART V—continued.***Calculation of Service.*

(e) Service before the 1st January, 1946, shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of 3½ hours for each completed one month of continuous service and in respect of service after that date at the rate of 6½ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

Where the employer is a successor or assignee or transferee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee the employee in respect of the period during which he was in the service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

*Calculation of Month.*

(f) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

*Leave to be Taken.*

(g) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided by sub-clauses (k) and (l) hereof payment shall not be made or accepted in lieu of annual leave.

*Time of Taking Leave.*

(h) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

*Leave Allowed Before Due Date.*

(i) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

Where leave has been granted to an employee pursuant to this sub-clause before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each one complete month of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-twelfth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by clause 42 of this Determination.

*Payment for Period of Leave.*

(j) Each employee before going on leave shall be paid two weeks' wages. For the purposes of this sub-clause and sub-clause (k) hereof, wages shall be at the rate prescribed by clauses 2, 4 (b), 4 (c), and 4 (d) of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

*Proportionate Leave on Dismissal.*

(k) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for 3½ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for 6½ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

*Annual Close Down.*

(l) Where an employer closes down his plant, or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply—

- (i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.
- (ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.
- (iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.
- (iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (i) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (k) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

*Disputes.*

(m) Any dispute arising in connexion with annual leave shall be referred to the Wages Board.

**MEAL ALLOWANCE.**

45. An employee (other than an employee in an egg packing establishment) required to work overtime for any period in excess of one hour after the usual hour of ceasing duty shall be paid an allowance of 2s. 6d. as meal money. Provided that such meal allowance shall not be payable to an employee who can reasonably return home for a meal.

**REST PERIOD.**

46. A rest period of ten minutes, at a time fixed by the employer, between 10 a.m. and 11.30 a.m. each day shall be allowed to all employees (other than those employed in egg packing establishments), such time to count as time worked.

**RIGHT OF ENTRY OF UNION OFFICIAL.**

47. A duly accredited representative of the Federated Storemen and Packers' Union of Australia shall have the right to enter employers' establishments during the midday meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:—

- (a) That he produces his authority to the employer or his representative.
- (b) That he interviews employees only at the place where they are taking their meal.
- (c) That not more than one representative in all be in any establishment at any one time.
- (d) That no one representative visit an establishment more than once a fortnight.
- (e) That if an employer alleges that a representative is unduly interfering with his establishment 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, but the representative shall have the right to bring such refusal before this Wages Board.

**PART V—continued.**

**EMPLOYER TO PROVIDE TOOLS.**

48. All tools which employees (other than those employed in, or on, or in connexion with Wharfs, Wharf Sheds, Customs Railway Sheds, or Fumigating Sheds) are required to use in the course of their work shall be provided by the employer.

**PIECEWORK.**

49. The Board determines, under the provisions of sub-sections (1) and (2) of section 150 of the *Factories and Shops Act 1928* (No. 3677), that any employer may fix and pay piecework prices for wholly or partly packing or sorting any articles for which wages rates are fixed, provided that such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages rate fixed by the Board for such work.

**ADDITIONAL PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN EGG PACKING ESTABLISHMENTS.**

**MELBOURNE CUP DAY HOLIDAY.**

50. Employees shall be either permitted to be absent from duty without deduction of pay from noon on Melbourne Cup Day, or paid at the rate of double time for all work done after noon on that day.

**RESTRICTION AS TO FEMALES LIFTING HEAVY WEIGHTS.**

51. The maximum weight to be lifted by any female over eighteen years of age shall be thirty pounds.

**REST PERIODS.**

52. A rest period of ten minutes in the forenoon and ten minutes in the afternoon shall be given all female workers without any deduction from wages.

**MEAL ALLOWANCE.**

53. An employee required to work overtime for any period in excess of one hour after the usual hour of ceasing duty shall be paid an allowance of 2s. 6d. as meal money. Provided that such meal allowance shall not be payable to an employee who can reasonably return home for a meal.

**PART VI.**

**WAGE ADJUSTMENT PROVISIONS APPLICABLE TO ALL SECTIONS.**

**PERIODICAL ADJUSTMENT OF WAGES.**

54. The wages rates set out in clauses 4 (a) (i), 4 (a) (ii), 4 (b), and 4 (c) (other than the hourly rate for storemen or packers called upon to work in cool stores) and 24 are based upon the basic wages set out in Table A, and pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, this Board hereby determines that such rates for males in the said clauses 4 (a) (i), 4 (a) (ii), 4 (b), and 4 (c), shall be automatically adjusted by the same amounts and at the same time as such basic wages as prescribed by clause 55.

The wages of juniors in clause 3 shall be adjusted in proportion to the adjustment of the said basic wage for the index number set assigned for Melbourne. Such adjustment shall be to the nearest 6d., half or less than half of 6d. in any result to be disregarded.

The wages of apprentices and improvers as set out in clause 2, and females as set out in clause 4 (d), shall be adjusted in accordance with the percentages of the needs basic wage as set out in Table B hereof, provided that the rates prescribed for adult female egg packers, sorters or testers shall be as follows:—

With eight weeks' or more experience, 75 per cent. of the rate prescribed for an adult male in an egg packing establishment ;  
With less than eight weeks' experience, 9s. 9d. less than 75 per cent. of the said male rate.  
Such adjustment shall be to the nearest 3d., half or less than half of 3d. in any result to be disregarded.

**TABLE A.**  
*Basic Wages.*

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State—		
(a) For all employees other than casual hands employed in Oil, Grease, and Petroleum Products Stores	6 4 0	Melbourne
(b) For casual hands employed in Oil, Grease, and Petroleum Products Stores	6 3 0	Melbourne, Adelaide, and Hobart (weighted average)

**TABLE B.**  
**ALL PLACES OTHER THAN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.**  
**APPRENTICES AND IMPROVERS.**

	Males.		Females.		
	Breadmaking Establishments.	Any Other Place.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woollens, or Woollen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place.
	Percentage Per Week.	Percentage Per Week.	Percentage Per Week.	Percentage Per Week.	Percentage Per Week.
	%	%	%	%	%
Under 16 years of age ..	85	27½	32½	30	27½
16 to 17 years of age ..		37½	37½	40	37½
17 to 18 years of age ..		50	42½	45	42½
18 to 19 years of age ..		70	47½	52½	47½
19 to 20 years of age ..		87½	57½	57½	55
20 to 21 years of age ..	100, plus 10s. 3d.	100, plus 8s. 3d.	65	67½	62½
	100, plus 31s. 3d.				

Provided that any female improver employed packing or sorting laundry-work shall, after completing three years' experience, be paid the wage fixed for an adult

FEMALES (OTHER THAN APPRENTICES AND IMPROVERS).

	Females Employed in or in Connexion with—			
	Manufacturing Chemists' Factories.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woollens or Woollen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place
	Percentage Per Week.	Percentage Per Week.	Percentage Per Week.	Percentage Per Week.
	%	%	%	%
Any person engaged as a female Packer or Sorter who (notwithstanding she may be under the orders of a superior who does not devote the whole of his time to supervising the storing, packing, or sorting)—				
(a) Works singly . . . . .	77½	87½	92½	77½
(b) Supervises or directs the number of persons 18 years of age or over, indicated hereunder, viz. :—				
(i) 1, 2, 3, 4, 5, or 6 such persons . . . . .	82½	92½	97½	82½
(ii) 7 or more such persons . . . . .	95	100, plus 1s. 9d.	100, plus 9s.	95
Females employed packing or sorting laundry work . . . . .	..	..	..	82½
Packers of crockery, china, or glassware . . . . .	..	..	..	92½
All female adults not otherwise provided for . . . . .	75	80	80	75

ADJUSTMENT OF BASIC WAGE.

55. (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, 1950, the amounts of the basic wages shall be as prescribed in clause 54.

(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 numbers 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.

56. The hourly rate for storemen or packers called upon to work in cool stores shall be adjusted at the same time and at the same rate as that provided for a chamber hand in the Determination of the Frozen Goods Board.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 19th October, 1949.

