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[1949

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 10 (FISH AND POULTRY).

NOTES.—(a) This Determination applies to the whole of the State of Victoria.

(b) On the 29th May, 1945, the Shops Board No. 10 (Fish and Poultry), the Determination of which was operative over an extended area, was appointed to take the place of the Shops Board No. 10 (Fish and Poultry) appointed on the 27th July, 1914, the Determination of which was limited to portion of the State only.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 24th April, 1933, has had power to "determine the lowest prices or rates which may be paid to any persons wheresoever employed in the business of—

- (a) killing, plucking, dressing poultry or game;
- (b) preparing fish for sale uncooked or for canning, drying, or smoking;
- (c) selling by wholesale or retail (except for consumption on the premises) poultry, game, fish, or oysters;
- (d) marketing (in fish and poultry markets) poultry, game, or fish"—

has made the following Determination, namely:—

- (a) That as from the beginning of the first pay period to commence on or after the 8th December, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART ONE.

This Part applies to Persons employed in connexion with the Preparation of Rabbits for the Wholesale or Export Trade.

1. APPRENTICES OR IMPROVERS. Wages per Week of 40 Hours.

	Males.			Females.		
	Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.
	<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	51 6	0 9	52 3	50 0	0 9	50 9
16 years of age	69 6	1 0	70 6	53 0	0 9	53 9
17 years of age	83 6	1 3	84 9	59 0	0 9	59 9
18 years of age	108 6	1 6	110 0	65 0	1 0	66 0
19 years of age	145 0	2 0	147 0	79 6	1 3	80 9
20 years of age	151 6	2 3	153 9	90 6	1 3	91 9

PROPORTION.

MALES.

Apprentices.

One male apprentice to every three or fraction of three male workers receiving not less than 18s. 6d. per week of 40 hours.

Improvers.

One male improver to every four or fraction of four male workers receiving not less than 18s. 6d. per week of 40 hours.

FEMALES.

Apprentices.

One female apprentice to every three or fraction of three female workers receiving not less than 10s. 6d. per week of 40 hours.

Improvers.

One female improver to every four or fraction of four female workers receiving not less than 10s. 6d. per week of 40 hours.

OTHER EMPLOYEES.

	Ordinary Wage.	War Loading.	Total Wage.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Rabbit skimmers or boners	191 0	3 0	194 0
Grader who grades for the export trade	196 6	3 0	199 6
Females employed filling cartons with boned meat	105 0	1 6	106 6
All others	185 6	3 0	188 6

EMPLOYEES IN FREEZING CHAMBER.

2. Notwithstanding the rates provided in clause 1, 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.

TIME OF BEGINNING AND ENDING WORK.

3.		Time of Beginning.	Time of Ending.
	6.30 a.m.	4.30 p.m. on each of the five ordinary working days in the week.
	6.30 a.m.	11.30 a.m. on Saturday.

OVERTIME.

4. (a) Outside the hours fixed as the time of beginning and ending work
- (b) (i) Where a 5-day week is worked—
 Within the hours fixed as the time of beginning and ending work in excess of eight hours on any day Monday to Friday inclusive
- (ii) Where a 5½-day week is worked—
 Within the hours fixed as the time of beginning and ending work in excess of 7 hours 12 minutes on any day Monday to Friday inclusive and 4 hours on Saturday
- Time and a half, provided that all work done after 1 p.m. on Saturday shall be paid for at double time.

SPECIAL RATES.

5. (a) Double time shall be the special rate for all work done by time workers on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour 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) For all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day piece-workers shall be paid double the rates mentioned in clause 18.

(c) Pieceworkers shall be entitled to be absent on the Public Holidays mentioned in sub-clause (b) hereof and shall for such days be paid at time workers rates.

MINIMUM PAYMENT FOR SUNDAYS AND HOLIDAYS.

6. Any employee required to work on a Sunday or a holiday mentioned in clause 5 (a) shall be given a minimum of 2½ hours' work or shall be paid for such period at penalty rates.

TIME RATES.

7. Any person employed between midnight Sunday and midnight Saturday on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to one-half the number of hours per week fixed in this Determination be paid the ordinary wage, with an addition of 33¼ per cent., 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.

WAITING TIME.

8. Employees (piece-workers included) who are required to wait for a longer period than an aggregate of one hour (exclusive of meal hours) per day shall be paid for such excess at the wage rate provided for the class of work done.

TIME RECORD.

9. All employees (including piece-workers) shall indelibly record their daily times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance. Any one of such means of recording shall be provided and maintained by the employer.

UNION INSPECTION.

10. An accredited representative of the Federated Cold Storage and Meat Preserving Employees Union of Australia shall have access to the records of times recorded and wages received by employees provided that such inspection is made during working hours.

DINING AND CHANGING ROOM.

11. A dining-room, changing-room, adequate washing facilities, and in addition (where facilities are available) hot water for the making of tea shall be provided.

PREMISES TO BE KEPT CLEAN.

12. The employer shall cause all rooms used by employees to be kept reasonably clean, and free from debris.

WET WORK.

13. Where any wet work is performed waterproof aprons and rubber boots shall be provided free of cost to the employee.

MEAL HOUR.

14. A period of one hour shall be allowed for breakfast between the hours of 8 a.m. and 9.30 a.m., and also a period of one hour for dinner between the hours of 11.30 a.m. and 1.30 p.m.

SMOKE OH.

15. Employees shall be entitled to a smoke oh period of ten minutes each morning and afternoon.

ANNUAL HOLIDAY.

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

SICK LEAVE.

17. (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 six days 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 twelve days, which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

For the purposes of this sub-clause, service prior to 26th April 1946, shall be disregarded.

PIECE-WORK PRICES.

18. The lowest piece-work prices payable to any person engaged in the following kinds of work shall be—

	Within the hours fixed in clause 2.	Outside the hours fixed in clause 2.
Skinning rabbits (heads off)	2s. 6d. per 100 } plus	3s. 9d. per 100 } plus
Skinning rabbits (heads on)	3s. 3d. per 100 } 81 per cent.	4s. 7½d. per 100 } 81 per cent.
Boning rabbits or hares (including washing, weighing, and taking in and out of chamber)	1d. per lb. } plus	
Skinning hares	9s. 3d. per 100 } 93 per cent.	

PART TWO.

This Part applies to Persons doing any Work other than Work in connexion with the Preparation of Rabbits for the Wholesale or Export Trade.

1. APPRENTICES OR IMPROVERS.
Wages per Week.

	Males.			Females.		
	Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.
	<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	45 0	0 9	45 9	36 0	0 9	36 9
16 years of age	58 6	1 0	59 6	45 0	0 9	45 9
17 years of age	77 6	1 3	78 9	54 0	1 0	55 0
18 years of age	96 0	1 9	97 9	69 6	1 3	70 9
19 years of age	109 0	2 0	111 0	75 0	1 3	76 3
20 years of age	131 6	2 3	133 9	82 6	1 6	84 0

PROPORTION.

MALES.

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than 16s. 6d. per week of 40 hours.

Improvers.

One improver to every four or fraction of four workers receiving not less than 16s. 6d. per week of 40 hours.

FEMALES.

Apprentices.

One apprentice to every three or fraction of three female workers receiving not less than 12s. 9d. per week of 40 hours.

Improvers.

One improver to every three or fraction of three female workers receiving not less than 12s. 9d. per week of 40 hours.

OTHER EMPLOYERS.

Wages per Week.

	Ordinary Wage.	War Loading.	Total Wage.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Manager (i.e., the principal employee in any shop except a shop in which an owner or partner is working manager)	190 6	3 0	193 6
Manageress (i.e., the principal employee in any shop where females only are employed except a shop in which an owner or partner is working manager)	144 6	2 0	146 6
Foreman having the supervision of four or more workers	181 6	3 0	184 6
Shop hands (males) or salesmen	168 6	3 0	171 6
Block hands, pluckers (except wet chain pluckers), filleters, cleaners, or oyster openers	171 6	3 0	174 6
Wet chain pluckers	179 0	3 0	182 0
Labourers assisting—			
(a) Wholesale fish salesmen	176 6	3 0	179 6
(b) Wholesale poultry salesmen	166 6	3 0	169 6
Persons employed grading and/or placing plucked poultry in boxes	171 6	3 0	174 6
Females employed—			
(a) As shop hands	128 0	1 9	129 9
(b) At weighing, grading, washing, stamping, branding, or filling cartons, moulds, or boxes of poultry	130 6	1 9	132 3
(c) At weighing, grading, washing, stamping, branding, or filling cartons, moulds, or boxes of fish	123 0	1 9	124 9
All others	161 6	3 0	164 6

EMPLOYEES IN FREEZING CHAMBER.

2. Notwithstanding the rates provided in Clause 1, 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.

HOURS FOR AN ORDINARY WEEK'S WORK.

3. The hours for an ordinary week's work shall be 40 to be worked as follows:—

- (a) In wholesale fish markets in 5 days Monday to Friday inclusive.
- (b) In any other place by mutual arrangement in either 5 or 5½ days.

TIMES OF BEGINNING AND ENDING WORK.

4. Persons employed in connexion with—

(a) The sale by retail of poultry, fish or game :—

	Time of beginning.	Time of ending.
Saturday	6.30 a.m.	1 p.m.
Other days	6.30 a.m.	6.30 p.m.

(b) Packing and processing fish by refrigeration :—

Saturday	8 a.m.	12.30 p.m.
Other days	8 a.m.	8 p.m.

(c) Preparing poultry (other than in retail shops) :—

Saturday	7 a.m.	12.30 p.m.
Other days	7 a.m.	7 p.m.

(d) At any work other than work provided for in sub-clauses (a), (b), and (c) hereof :—

Saturday	4.30 a.m.	12 noon
Other days	4.30 a.m.	4.30 p.m.

OVERTIME.

5. Any employee (other than a piece-worker) who works—

(a) (i) Where a 5-day week is worked—

In excess of 8 hours on any day Monday to Friday inclusive within the hours provided in clause 4 (employees in retail shops excepted)

(ii) Where a 5½-day week is worked—

In excess of 7 hours 12 minutes on any day Monday to Friday inclusive and 4 hours on Saturday within the hours provided in clause 4 (employees in retail shops excepted)

(b) In excess of the hours provided for an ordinary week's work in clause 3 (excluding any overtime already provided for in sub-clause (a))

(c) Outside the hours fixed in clause 4.

Shall be paid for such excess or for work outside such hours at the rate of time and a half, provided that all work done after 12 noon on Saturday shall be paid for at double time.

SPECIAL RATES.

6. (a) Double time shall be the special rate for all work done by time workers on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, 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) For all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day piece-workers shall be paid double the rates mentioned in clause 23 (a).

(c) Pieceworkers shall be entitled to be absent on the Public Holidays mentioned in sub-clause (b) hereof and shall for such days be paid at time workers rates.

MINIMUM PAYMENT FOR SUNDAYS AND HOLIDAYS.

7. Any employee required to work on a Sunday or a holiday mentioned in clause 6 (a) shall be given a minimum of 2½ hours' work or shall be paid for such period at penalty rates.

TIME RATES.

8. Any person employed between midnight Sunday and midnight Saturday on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to one-half the number of hours per week fixed in this Determination be paid the ordinary wage, with an addition of 33¼ per cent., 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.

9. Any employee (whether on time wages or piece-work) who is required to work for more than one hour after the usual closing time of the factory, shop, or place shall be paid 3s. as a meal allowance for each day that such extra time is worked. This clause shall not apply to employees of wholesale fish auctioneers.

MEAL INTERVALS.

10. (a) Employees (other than piece-workers) employed by wholesale fish auctioneers shall be allowed a meal interval of not less than half an hour, or more than one hour between 7.30 a.m. and 9 a.m. If such employees are required to work more than five hours after the completion of their first meal interval they shall be allowed a further interval of half an hour, and a meal shall be provided by the employer.

(b) Employees other than those employed by wholesale fish auctioneers shall receive a meal interval of not less than one half-hour, and not more than one hour. Such meal interval shall not be required to be taken earlier than three hours or later than five hours of commencing work.

WORK TO BE CONTINUOUS.

11. The work of employees engaged in the preparation of fish shall with the exception of meal intervals as provided in clause 9 be continuous.

WAITING TIME.

12. Employees (other than employees working in connexion with the preparation of fish) who are kept waiting before commencing work for a period in excess of two hours shall be paid for such excess at time rates according to the class of work to be done.

LIFTING OF HEAVY BOXES OF FISH.

13. No employee shall be required to lift unassisted, boxes of fish exceeding 100 lb. in weight.

SPECIAL CLOTHING.

14. When an employee is required by law or his employer to wear a washable outer garment such employee shall be supplied with a clean set of serviceable outer garments each week.

WET WORK.

15. Where any wet work is performed waterproof aprons and rubber boots shall be provided free of cost to the employee.

TIME RECORD.

16. All employees (including piece-workers) shall indelibly record their daily times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance. Any one of such means of recording shall be provided and maintained by the employer.

UNION INSPECTION.

17. An accredited representative of the Federated Cold Storage and Meat Preserving Employees Union of Australia shall have access to the records of times recorded and wages received by employees provided such inspection is made during working hours.

DINING AND CHANGING ROOM.

18. A dining-room, and changing-room, together with adequate facilities for washing, and for boiling water for making tea shall be provided in all places (other than retail shops) in which two or more persons are employed preparing fish or poultry for trade or sale.

SMOKE OH.

19. Employees shall be entitled to a smoke-oh period of ten minutes each morning and afternoon.

ANNUAL HOLIDAY.

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

SICK LEAVE.

21. (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 six days 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 twelve days, 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 the 26th April 1946, shall be disregarded.

VARIATION OF DETERMINATION.

22. Where the exigencies of the industry are such that the best interests of the employers, employees, and the community as a whole may be served by varying any part of this Determination by mutual consent, such variation may be mutually arranged by agreement with an officer of the Department of Labour, an officer of the Cold Storage Union, and the employer or his representative. Full particulars of such variation are to be reported to and approved by the Chief Inspector of Factories or his deputy.

PIECE-WORK PRICES.

23. The lowest piece-work prices payable to any person engaged in the following kinds of work shall be—
(a) Between the hours of 6.30 a.m. and 1 p.m. on Saturday, and 6.30 a.m. and 8 p.m. on any other week day—

	s.	d.	
(i) Roughing fowls by hand	0	3½	per pair
Roughing fowls by machine	0	3	per pair
Stumping fowls the same day as they are roughed by hand .. .	0	3½	per pair
Stumping fowls, which have been put away overnight, or for a longer period, after being roughed	0	4	per pair
Stumping fowls which have been roughed by a machine	0	4	per pair
Plucking fowls	0	7	per pair
Plucking ducks, where wings are not plucked right out .. .	0	7½	per pair
Plucking ducks, where wings are required to be plucked right out ..	0	11½	per pair
Plucking Muscovy drakes (redheads)	1	3	per pair
Plucking turkey hens	0	8½	per pair
Plucking turkey cocks	1	1	per pair
Plucking geese	1	1	per pair
Plucking teal	0	4	per pair
Plucking black duck	0	5	per pair
Plucking blue wing	0	4	per pair
Plucking mountain duck	0	5	per pair
Plucking pigeons and small birds	0	3	per pair
Plucking quail	0	3	per pair
Plucking pheasants	0	7	per pair
Drawing and trussing fowls or ducks	0	3	per pair extra
Drawing and trussing geese	0	6	per pair extra
Drawing and trussing turkeys	0	9	per pair extra
(ii) *Blooding outa	0	9	per large box
*Splitting outa	1	0	per large box
*Scaling and cleaning salmon	1	6	per large box
*Scaling and cleaning bream, flathead, trout, and all other medium fish ..	2	6	per large box
*Cleaning garfish, flathead, mullet, and all other very small fish .. .	3	0	per large box
*Cleaning whiting	0	3	per dozen
*Filleting whiting	0	6	per dozen
*Cleaning flounders	0	3	per dozen
Trimming shark	0	6	per box
Skimming and trimming shark	2	0	per box

Plus 96 per cent.

* Including washing.

(b) Outside the hours stated in sub-clause (a) hereof:—The rates provided in clause 23, sub-clause (a) with the addition of 50 per cent.

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates for adult males set out in clause 1, Part One, and clause 1, Part Two, are based upon the following basic wage, 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 25. The piece-work prices set out in clauses 18, Part One, and 23, Part Two, shall be increased or decreased at the same time and in the following manner: For each increase or decrease of 1s. in the basic wage the added percentage shown in the margin shall be increased or decreased (as the case may be) by 1 per cent. The wages of apprentices and improvers and all females 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 basic wage bears to the basic wage current immediately prior to the adjustment. Such adjustments shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

Basic Wage.

Place	Needs Basic Wage	Loading Constant	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State	6 4 0	6 0	6 10 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

25. (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 24.

(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, 23rd November, 1949.