



VICTORIA GOVERNMENT GAZETTE.

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TUESDAY, AUGUST 30.

[1949

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 8 (DAIRY PRODUCE AND COOKED MEAT).

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the *Factories and Shops Act 1928* (No. 3677) and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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 persons employed in the trade of a seller of Dairy Produce or Cooked Meat," has made the following Determination, namely:—

1. That as on and from the 18th July, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES PER WEEK OF 40 HOURS.

Apprentices or Improvers.		Other Employees.		
Males.	Females.	WAGES. Males.	Within the Metropolitan District as defined in the <i>Factories and Shops Act 1928</i> (No. 3677).	All other parts of Victoria where this Determination applies.
WAGES	WAGES.		<i>s. d.</i>	<i>s. d.</i>
<i>s. d.</i>	<i>s. d.</i>			
Under 15 years of age .. 31 6	15 years of age or under .. 38 3			
15 years of age .. 43 3	16 years of age .. 45 6	Manager (i.e., the principal employee in any shop except a shop in which an owner or partner is working manager)	169 6	165 0
16 years of age .. 59 3	17 years of age .. 55 9	* Travelling salesman ..	153 6	149 6
17 years of age .. 78 0	18 years of age .. 72 3	All others	153 6	149 6
18 years of age .. 98 0	19 years of age .. 79 9			
19 years of age .. 112 0	20 years of age .. 87 9			
20 years of age .. 129 3				
Proportion (in any shop or place).	Proportion (in any shop or place).			
<i>Apprentices.</i>	<i>Apprentices.</i>	<i>Females.</i>		
One apprentice to every three or fraction of three male workers receiving not less than the minimum wage.	One apprentice to every three or fraction of three female workers receiving not less than the minimum wage.	Manageress (i.e., principal employee in any shop where females only are employed, except a shop in which an owner or partner is working manager)—		
<i>Improvers.</i>	<i>Improvers.</i>	In charge of three or more assistants ..	133 6	129 9
One improver to first two or fraction of two, two to three; and thereafter one improver to every additional two male workers receiving not less than the minimum wage.	One improver to first three or fraction of three, two to four; and thereafter one to every additional three female workers receiving not less than the minimum wage.	In charge of less than three assistants ..	122 3	118 9
		All others	105 0	102 9

* The hours of a Travelling salesman include time occupied in attending to horses or motor vehicles.

NOTE.—Section 109 of the "Factories and Shops Act 1928" (No. 3677) provides that a shopkeeper shall not charge any manager or assistant who is required to reside on the premises in connexion with the shop in which the business of such shopkeeper is carried on a greater sum as rent for such premises than ten shillings per week.

Section 176 of the *Factories and Shops Act 1928* (No. 3677) provides that, where the provisions of a Determination of a *Wages Board* apply, a true copy of such Determination shall be posted in some conspicuous place in such a position as to be easily read by the persons employed therein. Penalty not exceeding £10.

Section 174 of the *Factories and Shops Act 1928* (No. 3677) provides that where any person is employed to perform two or more classes of work to which a rate fixed by a wages board is applicable then such person shall be paid in respect of the time occupied in each class of work at the rate fixed by the Board for such work.

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TIMES OF BEGINNING AND ENDING WORK.

		Time of Beginning.	Time of Ending.
3.	On Mondays to Fridays (inclusive)	9.5 a.m.	5.30 p.m.
	On Saturdays	9.5 a.m.	Noon.

OVERTIME.

4. All time worked—

- (a) in excess of the number of hours fixed as a week's work,
 (b) outside the times of beginning and ending work,

shall be paid for at the rate of time and a half.

TIME RATE.

5. Any person 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 in this Determination for an ordinary week's work be paid at the ordinary wages rate with an addition of thirty-three and one-third 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.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

TERMINATION OF EMPLOYMENT.

6. Except where the conduct of an employee justifies instant dismissal, or the period of continuous employment is one month, or less, one week's notice of termination of employment shall be given on a Monday by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof.

ALLOWANCE.

7. Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering of which is not paid for by the employer, such employee shall be paid 3s. per week if a male, and 2s. 6d. per week if a female, in addition to the ordinary rate.

SPECIAL RATES.

8. Double time shall be the special rate payable for all work done on Sunday, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday, Show Day (in such localities mentioned in the Sixth Schedule to the *Public Service Act 1946*, as are within the area to which this Determination applies), Melbourne Cup Day (in the Metropolitan District as defined in the *Factories and Shops Act 1928* (No. 3677) and the Orders in Council thereunder), Christmas Day, Boxing Day and New Year's Day and trouble-time shall be the special rate for work done on Easter Saturday; but, if any other day be by Act of Parliament or Proclamation substituted for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted.

ANNUAL HOLIDAY.

9. 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.

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

PAYMENT OF WAGES.

10. Payment of wages, including overtime, tea money, special rates, &c., shall be made not later than Thursday of each week, and during working hours.

MEAL INTERVALS.

11. All employees shall be allowed not less than one hour for a meal interval which must be taken between the hours of noon and 2 p.m., and not more than five hours shall be worked between meals. During such meal interval employees shall be allowed to leave the employer's premises.

NOTICE TO WORK OVERTIME.

12. At least 24 hours' notice shall be given when overtime is required to be worked.

TEA MONEY.

13. Any employee required to work overtime in excess of one hour beyond the usual time of ceasing work shall be paid: not less than 2s. 6d. tea money in addition to the overtime rates as prescribed for in this Determination.

Provided that such tea money shall not be payable when a meal is supplied by the employer.

NOTICE OF INTENTION TO RATION.

14. Where an employer, owing to slackness of trade, desires to ration his employees, he shall give at least seven days' notice to each employee of his intention to ration such employee.

BICYCLE ALLOWANCE.

15. Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid: an allowance at the rate of 3s. 6d. per week for such period as the bicycle is used.

REFERENCE.

16. On an employee being dismissed or leaving his or her employment he or she shall be entitled to and shall receive from the employer a reference stating the length of service, character, and qualifications. Such reference shall be given to the employee immediately on the termination of employment.

FARES.

17. Fares shall be paid by the employer to an employee who is required to work in more than one shop on the same day.

REST PERIOD.

18. An interval of ten minutes each morning and afternoon (Mondays to Fridays inclusive) shall be given as a rest period to all employees, and shall be counted as time worked.

SICK LEAVE.

19. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) during the first year—3½ hours' ordinary pay for each complete month of service;
 (ii) during any subsequent year of service—40 hours' ordinary pay.

Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall be cumulative from year to year up to a period not exceeding the equivalent of 120 hours' ordinary pay, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

TIME AND WAGES RECORD.

20. The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Dairy Produce and Cooked Meat Traders' Association.

PERIODICAL ADJUSTMENT OF WAGES.

21. 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 the rates for adults provided for at a rate in excess of the needs basic wage shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed in clause 22.

Provided that the wages of other employees shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

Basic Wage.

Place.	Needs Basic Wage. (Adjustable)	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies	5 19 0	6 0	6 5 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

22. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in August, 1949, the amounts of the basic wage shall be as prescribed in clause 21.

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

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

J. W. RYAN, Secretary.

Melbourne, 18th July, 1949.

