



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 762]

TUESDAY, AUGUST 30.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 15 (GROCERS).

NOTE.—This Determination applies to the following parts of Victoria, viz.:—The Metropolitan District as defined in the Factories and Shops Acts 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 person or persons or classes of persons wheresoever employed in the business of a grocer, including a seller of tea,” has made the following Determination, namely:—

1. That, in respect of clause 6 as on and from the 18th July, 1949, and in respect of the remaining clauses as from the beginning of the first pay period to commence in August, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.	Other Employees.	Wages per Week of 40 Hours.*	
		Within the Metropolitan District.	Outside the Metropolitan District Wherever this Determination Applies.
		s. d.	s. d.
Per Week of 40 Hours. WAGES. s. d.			
Under 15 years of age .. .. .			
15 years of age .. .. .			
16 years of age .. .. .			
17 years of age .. .. .			
18 years of age .. .. .			
19 years of age .. .. .			
20 years of age .. .. .			
Provided that any apprentice or improver without previous experience entering the trade at 16, 17, or 18 years of age may be paid for his first and second years' service 20 per cent. less than the rates fixed above.			
The Board has prescribed a form of indenture which must be used			
PROPORTION (in any shop or place).			
<i>Apprentices.</i>			
One apprentice to every three or fraction of three workers receiving not less than 158s. per week of 40 hours.			
<i>Improvers.</i>			
One improver to every three workers receiving not less than 158s. per week of 40 hours.			
“Worker” includes an owner or partner acting as working manager.			
	(a) Manager, i.e., the principal employee in any shop, except a shop in which an owner or partner is working manager .. .. .	186 3	183 3
	(b) Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits .. .. .	176 6	173 6
	(c) Canvasser, i.e., an employee soliciting or collecting orders .. .. .	161 0	158 0
	(d) Driver of motor vehicle with a carrying capacity of not more than 25 cwt. .. .. .	155 9	152 9
	(e) Driver of motor vehicle with a carrying capacity of over 25 cwt. .. .. .	158 6	155 6
	(f) Driver of three or more horses .. .. .	161 0	158 0
	(g) Driver of two horses .. .. .	158 6	155 6
	(h) Driver of one horse .. .. .	155 9	152 9
	(i) Stableman .. .. .	153 0	150 0
	(j) All others .. .. .	161 0	158 0

\* The ordinary hours of employees classified as (d), (e), (f), (g), and (h) include time occupied in attending to horses or motor vehicles.

3. TIMES OF BEGINNING AND ENDING WORK.

	Drivers, Stablenen and Employees not making Direct Sales to the Public.		All Others.	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
On Saturday .. .. .	8 a.m.	noon	9.5 a.m.	noon
On the other working days of the week .. .. .	8 a.m.	5.30 p.m.	9.5 a.m.	5.30 p.m.

OVERTIME.

4. The following rate shall be paid for overtime :—
- |   |                    |
|---|--------------------|
| Outside the hours fixed in clause 3 .. .. .   | } Time and a half. |
| Within the hours fixed in clause 3 in excess of the number of hours fixed for an ordinary week's work .. .. . |                    |

ORDINARY WEEK'S WORK.

5. The number of hours which shall constitute an ordinary week's work shall be 40.

TIME WAGES.

6. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for each hour worked up to 20 hours, as follows :—

- (a) in any week in which two or more public holidays occur .. .. . At the ordinary wages rate with an addition of fifty per centum.
- (b) in any other week .. .. . At the ordinary wages rate, with an addition of thirty-three and one-third per centum.

For time worked beyond the 20 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

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.

ALLOWANCES.

7. (a) 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 2s. 6d. per week in addition to the ordinary rate.

- (b) Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance of sixpence for each day or part thereof upon which he is so required to use such bicycle.

TERMINATION OF EMPLOYMENT.

8. Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

MEAL INTERVAL.

9. A meal interval of at least one hour shall be allowed between the hours of noon and 2 p.m. daily.

SPECIAL RATES.

10. Time and a half shall be the special rate payable for all work done on 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), and double time the special rate payable for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day and treble time shall be the rate payable for work done on Easter Saturday (i.e. the Saturday immediately succeeding Good Friday), but, if any other day be substituted by Act of Parliament or Proclamation for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted.

MEAL MONEY.

11. For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 2s. 6d. meal money in addition to the prescribed overtime rate.

ANNUAL HOLIDAY.

12. 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.

REFERENCES.

13. Every employee, on the termination of his engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

RENT OF RESIDENCE.

14. The employer 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 employer is carried on, a greater sum as rent for such premises than 10s. per week.

SICK LEAVE.

15. (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.

## PAY DAY.

16. Payment of wages, including overtime, meal money, special rates, and allowances shall be made not later than Thursday of each week.

## TIME AND WAGES RECORD.

17. 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 Grocers' Association of Victoria.

## PAYMENT OF FARES.

18. Where an employee is required by his employer to work at a shop or branch other than that at which he is ordinarily employed, he shall be paid the additional fares, if any, incurred by him in so doing. Provided that this clause shall not apply to any employee who is transferred to another store or branch for a period of not less than one week.

## REST PERIOD.

19. A rest interval of ten minutes shall be given to all employees during each morning and afternoon (Monday to Friday inclusive), and shall be counted as time worked.

## PERIODICAL ADJUSTMENT OF WAGES.

20. 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 by the same amount, and at the same time as such Basic Wage as prescribed by clause 21. Provided that the wages of apprentices or improvers 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.
	Per Week. £ s. d.	Per Week. s. d.	Per Week. £ s. d.	
Within the area to which this Determination applies ..	6 2 0	6 0	6 8 0	Melbourne.

## ADJUSTMENT OF BASIC WAGE.

21. (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 November, 1949, the amounts of the Basic Wage shall be as prescribed in clause 20.

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

