



VICTORIA GOVERNMENT GAZETTE.

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No. 857]

FRIDAY, SEPTEMBER 30.

[1949

Factories and Shops Acts.

DETERMINATION OF THE TEA PACKING BOARD.

NOTE.—This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the Determination of the Grocers Board) employed either inside or outside a factory or work-room, in the process, trade, or business of preparing tea, coffee, cocoa, or chocolate for trade or sale, including blending, weighing, filling packets, wrapping, packing, or labelling", has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st September, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES.

APPRENTICES OR IMPROVERS.			ADULTS.		
	Males.	Females.			
	Per Week. s. d.	Per Week. s. d.	Males.	Per Week. s. d.	
14 years	29 9	..	Foreman .. .. .	..	170 0
15 years	38 3	40 6	Headman .. .. .	..	161 9
16 years	44 9	44 9	All other adult males .. .. .	..	152 6
17 years	57 0	53 9	<i>Females.</i>		
18 years	71 3	64 3.	Headwoman .. .. .	..	121 0
19 years	79 9	71 0	All other adult females .. .. .	..	105 9
20 years	103 6	81 3			

PROPORTION (within any factory or place).

Apprentices.

One male apprentice to every three or fraction of three male workers receiving at wages rates or piece-work prices not less than 15s. 6d. per week.

One female apprentice to every three or fraction of three female workers receiving at wages rates or piece-work prices not less than 10s. 9d. per week.

Improvers.

One male improver to every three or fraction of three male workers receiving at wages rates or piece-work prices not less than 15s. 6d. per week.

One female improver to every three or fraction of three female workers receiving not less than 10s. 9d. per week.

HOURS OF WORK.

3. The number of hours to constitute an ordinary week's work shall be 40.

TIME OF BEGINNING AND ENDING WORK.

4. Time of Beginning. Time of Ending.

7.30 a.m.	.. ..	12 noon on Saturdays.
7.30 a.m.	.. ..	5.30 p.m. on each of the other five working days of the week.

OVERTIME.

5. Overtime shall be paid for as follows:—

(a) Within the hours provided in clause 4 in excess of the number of hours fixed for an ordinary week's work—time and a half.

(b) Outside the hours provided in clause 4—time and a half for the first two hours and double time thereafter.

HOLIDAYS.

6. Employees shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day, Union Picnic Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day, and within the Metropolitan District as defined in the Factories and Shops Acts, Melbourne Cup Day.

SPECIAL RATES.

7. Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day, and within the Metropolitan District as defined in the Factories and Shops Acts, Melbourne Cup 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.

TERMINATION OF EMPLOYMENT.

8. Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker. In lieu of such notice one week's wages shall be paid or forfeited, as the case may be.

SICK LEAVE.

9. (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.

ANNUAL HOLIDAYS.

10. 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.

PAY DAY.

11. Employees shall be paid on a day not later than Thursday in each week and during working hours.

POSTING OF DETERMINATION.

12. A copy of this Determination shall be posted in a conspicuous place at or near the entrance of each floor in a building if any employees are employed on such floor at any work covered by this Determination.

REST PERIOD.

13. An interval of ten minutes each morning and afternoon shall be given as a rest period to all employees, and shall be counted as time worked.

MEAL ALLOWANCE.

14. Any employee who is required to work overtime for one hour or more on any day shall receive a meal allowance of two shillings and sixpence for each day he or she is so required to work and such meal allowance shall be paid on the day and before such overtime is worked.

MIXED FUNCTIONS.

15. An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If engaged for less than half of one day or shift, he shall be paid the higher rate for the time so worked.

DEFINITIONS.

16. "Foreman" means a person held directly responsible by the employer for the carrying out of the work, and who has the charge and direction of the employees.

"Headman or Headwoman" means a person on a floor who directs other employees in their work and who is held responsible for work done on that floor notwithstanding he or she may be under the orders or take instructions from the foreman.

PERIODICAL ADJUSTMENT OF WAGES.

17. The wages rates set out in clause 2 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 18. Provided that the wages of adult females, apprentices or improvers 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 threepence, half or less than half of threepence to be disregarded

Basic Wage.

Place.	Needs. Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Throughout the State	£ s. d. 6 2 0	s. d. 6 0	£ s. d. 6 8 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

18. (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 17.

(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.

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

J. V. WILLOX, Secretary.

Melbourne, 25th August, 1949.



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No. 858]

FRIDAY, SEPTEMBER 30.

[1949

Factories and Shops Acts.

DETERMINATION OF THE SPORTS GROUND MAINTENANCE BOARD.

Notes.—(1) This Determination applies to the whole of the State of Victoria.

(2) By Order in Council dated the 13th September, 1947, the Garden Employees Board was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed:—

- (a) in the laying-out, cultivation or keeping in order of a fairway or green in connexion with any golf links or putting green;
- (b) in the laying out, cultivation or keeping in order of a bowling green or tennis court;
- (c) at work connected with or incidental to the construction or maintenance or keeping in order of brick dust or porous tennis courts;
- (d) at work connected with or incidental to the construction, formation, maintenance or keeping in order of grounds or enclosures used in the business of conducting for gain outdoor entertainments, outdoor shows, outdoor sports meetings or outdoor amusements of any kind;

and such power was conferred exclusively on the Sports Ground Maintenance Board.

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 (other than persons subject to the jurisdiction of any Wages Board heretofore appointed) employed in or in connexion with the construction, ornamentation, formation, maintenance or keeping in order of grounds or enclosures used in conducting outdoor entertainments, outdoor shows, outdoor sports or outdoor amusements of any kind", has made the following Determination, namely.

1. That as from the beginning of the first pay period to commence on or after the 1st September, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.										Wages per Week of 40 Hours.		
										£	s. d.	
15 years of age or under	36 9
16 years of age	41 0
17 years of age	46 3
18 years of age	64 9
19 years of age	78 0
20 years of age	92 9

PROPORTION (WITHIN ANY PLACE).

- One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
- One improver to every three or fraction of three workers receiving not less than the minimum wage.

Other Employees.										Wages per Week of 40 Hours.		
										£	s. d.	
Racecourses—												
Leading hand, i.e., a person in charge of three or more employees	8 8 0
Groundsman or maintenance employee	7 13 0
All others	7 8 0
Golf Links, Bowling Greens, Croquet Greens and Grass Tennis Courts—												
Green-keeper, i.e., a person engaged as such and who is responsible for the care, alignment, maintenance and satisfactory condition of a playing area or areas	8 18 0
Assistant green-keeper, i.e., a person engaged as such or is required to perform the duties of a green-keeper	8 3 0
Groundsman	7 8 0
All others	7 5 6
Other Tennis Courts, Cricket Grounds, Football Grounds or other grounds or enclosures used in conducting outdoor entertainments, outdoor shows, outdoor sports or outdoor amusements of any kind—												
Curator, i.e., a person engaged as such and who is responsible for the care, alignment, maintenance and satisfactory condition of a playing area or areas and/or Turf Wickets	8 18 0
Assistant curator, i.e., a person engaged as such or is required to perform the duties of a curator	8 3 0
Groundsman or maintenance employee	7 13 0
All others	7 8 0

Any employee, other than a curator or assistant curator, required to take charge of 3 or more employees, shall be paid an additional amount of 1s. 6d. per day or part thereof.

EXTRA RATES.

3. (i) Where no assistant is engaged, a curator or green-keeper, in charge of 5 or more employees, shall be paid an additional 10s. per week.
- (ii) Any adult employee on racecourses, golf links or tennis courts whose regular duty is to attend, maintain, adjust, and/or operate motor mowers shall receive an additional amount of 5s. per week.
- (iii) Any employee operating a power driven appliance, other than a motor mower, on a racecourse, cricket ground, football ground, or showground, shall receive an additional amount of 3s. per day or part thereof.

CASUAL EMPLOYEES.

4. A casual employee i.e., an employee engaged for less than 40 hours per week shall be paid at the rate of time and a third for the first 20 hours and ordinary rate thereafter up to but not exceeding the rate fixed for a full week's work.

HOURS FOR AN ORDINARY WEEK'S WORK.

5. The number of hours to constitute an ordinary week's work shall be 40 which may be worked in either 5 or 5½ days.

TIMES OF BEGINNING AND ENDING WORK.

6. The times of beginning and ending work shall be the times mutually agreed upon between the employer and the employee and failing agreement, shall be as follows:—

Time of Beginning (not earlier than).	Time of Ending (not later than).
Bowling Greens—	
7.30 a.m.	12 noon on Saturday (or the day on which the half-holiday is observed locally).
7.30 a.m.	7.30 p.m. on the other working days of the week.
Any other Place—	
7.30 a.m.	12 noon on Saturday (or the day on which the half-holiday is observed locally).
7.30 a.m.	5.30 p.m. on the other working days of the week.

Provided that the hours once fixed shall not be altered without at least seven days' notice.

OVERTIME.

Bowling Greens.

7. (i) All time worked outside a spread of twelve hours per day shall be paid for at the rate of double time, provided that time occupied at watering shall be paid for at the rate of time and a quarter.
- (ii) All time worked within a spread of twelve hours in excess of 40 hours per week shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

Any Other Place.

- (i) All time worked outside the times of beginning and ending work shall be paid for at the rate of time and half for the first two hours and double time thereafter.
- (ii) All time worked within the times of beginning and ending work in excess of 40 hours per week shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

STAND DOWN.

(Bowling Greens.)

8. An employee shall not be stood down for more than ten hours in the aggregate in any one week.

HOLIDAYS AND SPECIAL RATES.

9. All employees shall be entitled to the following holidays without deduction of pay:—
New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day and Boxing Day. Provided that if any of these holidays occur on a Sunday or other non-working day, an additional day for each such holiday occurring as aforesaid shall be added to the employee's annual leave.

If an employee works on any of the holidays mentioned herein he shall be paid time-and-a-half in addition to his ordinary pay, or if the employee so elects, an extra day and a half shall be added to his annual leave.

SPECIAL RATES FOR SUNDAYS.

10. Work done on Sunday shall be paid for as follows:—

Watering—Time and a half.

Any other work—Double time.

NIGHT WATERING (OTHER THAN BOWLING GREENS).

11. (a) Employees required to do night watering, i.e., outside the times of beginning and ending work shall be paid at the rate of time and one quarter.
- (b) No employee shall be called upon to do night watering without a clear break off duty of at least four hours.

PROVISIONS OF CLOTHING, ETC.

12. (a) The employee shall be provided with the following, free of charge, by the employer.
- (i) Oilskins, gum boots, or other protective clothing, when called upon to work in the rain.
 - (ii) Gum boots, gloves, overalls and goggles, when required to distribute fertilizer or employed on spraying.
 - (iii) Gum boots when required to hose down.
- (b) When gum boots are used they shall be washed and sterilized if required to be used by any other person.

MEAL BREAKS.

13. A period of not less than three quarters of an hour, not later than four hours after commencing work, shall be allowed for a meal.

MEAL ALLOWANCE.

14. Any employee required to work overtime for more than one hour without being notified the day before that he would be so required to work, shall either be provided with a meal by the employer or paid the sum of 2s. 6d. If having been notified accordingly and the employee has provided himself with a meal, and such overtime is not worked, he shall be allowed the sum of 2s. 6d.

ANNUAL HOLIDAYS.

15. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, and any amendments which may be made thereto from time to time.

SICK LEAVE.

16. (a) If the absence from duty of an employee be reasonable because of his own illness, and he produces to the employer satisfactory evidence thereof, by medical certificate or otherwise, no deduction shall be made in respect of such absence except so far as it exceeds in the aggregate forty hours of working time during any one year of employment or a proportionately 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 160 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

RIGHT OF ENTRY OF UNION OFFICIALS.

17. A duly accredited officer of the Australian Workers' Union who is authorized in writing by the President or Secretary of such Union, shall have the right to interview any employee during the meal hour or such other time as may be approved by the employer or his representative, at the place of his employment on legitimate union business and shall be permitted to inspect the conditions relating to the persons employed.

TERMS OF ENGAGEMENT.

18. Employees, other than casuals, shall be employed by the week and their engagement shall only be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture, as the case may be, of one week's wages in lieu thereof. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct and in such cases the wages shall be paid up to the time of dismissal only.

PAYMENT OF WAGES.

19. Wages shall be paid on a fixed day, not later than Thursday of each week and during the employees' normal working hours.

TIME BOOK OR RECORD.

20. Every employee shall record daily the correct time of work on a time sheet or record which shall be furnished by the employer. Such time sheet or record shall be produced by the employer or his agent for inspection during reasonable hours to the Secretary of the Australian Workers' Union or any official thereof duly authorized in writing by the President or Secretary of the aforesaid Union.

FIRST-AID OUTFIT.

21. A first-aid outfit shall be provided by the employer at a place readily accessible to all employees.

PROVISION OF QUARTERS.

22. Where an employee is required to live on the premises and is required to act as caretaker he shall be provided with quarters free of charge.

SANITARY ACCOMMODATION.

23. The employer shall provide suitable sanitary conveniences on the job and have same maintained in a clean condition.

BICYCLE ALLOWANCE.

24. An employee instructed by the employer or his representative to use his own bicycle in the course of his duties shall be paid an amount of 2s. 6d. per week in addition to his ordinary rate.

PULLING HEAVY ROLLERS.

25. No employee shall be called upon to push or draw a roller exceeding 5 cwt. on cricket grounds unless granted necessary assistance.

PERIODICAL ADJUSTMENT OF WAGES.

26. The wages 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 27. Provided that the wages of apprentices, and improvers, 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 threepence, half or less than half of threepence 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.	
Throughout the State	6 2 0	6 0	6 8 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

27. (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 26.

(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.

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

J. V. WILLOX, Secretary.

Melbourne, 24th August, 1949.

