



# VICTORIA GOVERNMENT GAZETTE.

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[1951

Factories and Shops Acts.

## DETERMINATION OF THE VEGETABLE GROWERS 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 persons engaged in the trade of vegetable growing (that is to say, the growing of vegetables, including tomatoes, for sale)," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in December, 1950, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Improvers.			Other Employees.		
	Percentage of Basic Wage.	* Wages per Week.	*Wages per Week.		
		£ s. d.	£ s. d.		
15 years of age or under .. .. .	29	2 7 0	Foreman gardener, i.e., a gardener in charge of two or more employees .. .. .	10	2 7
16 years of age .. .. .	39	3 3 0	All others .. .. .	9	6 1
17 years of age .. .. .	51	4 2 6			
18 years of age .. .. .	67	5 8 6			
19 years of age .. .. .	88	7 2 6			
20 years of age or over, the appropriate rate prescribed under the heading "Other Employees".					

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

\* These wages include a 10% loading to compensate for a 44 hour week.

### PROHIBITION OF EMPLOYMENT.

3. The Board determines that no person shall be employed as an apprentice.

### TIMES OF BEGINNING AND ENDING WORK.

4. The time of beginning and ending work shall be the times mutually agreed upon between the employer and the employee.

### ORDINARY WORKING WEEK.

5. Forty-four (44) hours shall constitute an ordinary week's work, to be worked on any or all of the days except Sunday.

### OVERTIME.

6. All time worked in excess of 44 hours per week shall be paid for at the following rates:—

For the first two hours .. .. .	Time and a quarter.
For the next two hours .. .. .	Time and a half.
Thereafter .. .. .	Double time.

### SPECIAL RATES FOR WATERING.

7. Employees required to do watering between the hours of 8 p.m. and the usual starting time on the following day shall be paid at the rate of time and a quarter, provided that double time shall be paid for all watering done between the hours of midnight on Saturday and midnight on Sunday.

### TERMS OF ENGAGEMENT.

8. (a) Except as provided in sub-clause (b) hereof all employees shall be employed by the week. Employees to become entitled to the weekly wage prescribed by this Determination must be available, ready and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employees affected.

(b) Employment for the first two weeks of service at any period shall be from hour to hour at the weekly rate fixed.

### TERMINATION OF EMPLOYMENT.

9. Subject to sub-clause (b) of clause 8 employment shall be terminated only by a week's notice on either side or a week's wages paid or forfeited as the case may be, and such notice may be given at any time during the week. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct.

**HOLIDAY AND SUNDAY WORK.**

10. (a) Weekly employees, if not required to work, shall be entitled to the following holidays without deduction of pay:— New Year's Day, Australia Day, Good Friday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, Boxing Day, and Picnic Day or any day by Act of Parliament or Proclamation substituted for any of the beforementioned holidays.

If any employee is required to work on any of the holidays specified in this sub-clause he shall be paid double time for all work done and ordinary rate for the remainder of the day.

(b) All work done on Sundays shall be paid for at double time.

**ANNUAL HOLIDAY.**

11. 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.**

12. (a) If the employee is absent from duty through his own illness and he produces evidence satisfactory to the employer, no deduction shall be made from his wages in respect of such absence in so far as it does not exceed in the aggregate forty-four hours of working time in any one year of employment or a proportionate less time during any shorter period of employment: Provided that, in every case, an employee shall have at least three months' service to entitle him to such leave.

(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 eighty-eight 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 purposes of this sub-clause service prior to the 15th November, 1945, shall be disregarded.

**REST PERIOD.**

13. A rest period of ten minutes without deduction of pay shall be allowed each morning at a time mutually agreed upon.

**CLOTHING ALLOWANCE.**

14. An employee shall receive an allowance of 1s. per week towards the cost of providing waterproof clothing.

**PAYMENT OF WAGES.**

15. Wages shall be paid not later than Thursday in each week and within 10 minutes of ceasing work for the day.

**RIGHT OF ENTRY OF UNION OFFICIAL.**

16. Any official of the Australian Workers' Union (authorized in writing by the Secretary of the Victorian Branch of the said Union) may enter during the lunch hour upon any land or premises on which operations are carried on and inspect the working conditions and interview employees on legitimate union business.

**BOARD AND LODGING.**

17. Where the employee is provided with board and lodging an amount of 25s. per week may be deducted from the rates of pay fixed.

**SANITARY PROVISION.**

18. Suitable sanitary provision shall be provided where required.

**PERIODICAL ADJUSTMENT OF WAGES.**

19. The wages rates of "other employees" 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 20.

*Basic Wage.*

Place.	Basic Wage. (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	8 2 0	Melbourne

**ADJUSTMENT OF BASIC WAGE.**

20. (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, 1951, the amount of the basic wage shall be as prescribed in clause 19.

(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 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 '103 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.

(d) The wages of improvers shall be the appropriate percentages as set out in clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. V. WILLOX, Secretary.

Melbourne, 29th February, 1950.