VICTORIA

GOVERNMENT GAZETTE.

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No. 962] FRIDAY, NOVEMBER 27. [1953

Factories and Shops Acts.

DETERMINATION OF THE RABBIT PROCESSING BOARD.

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

(b) On the 19th June, 1951, the Shops Board No. 10 (Fish and Poultry) 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 in or in connexion with the trade, business, or occupation of preparing or processing uncooked rabbits or hares for the retail, wholesale, or export trade, and such power was conferred exclusively on the Rabbit Processing 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, employed in or in connexion with the trade, business, or occupation of preparing or processing uncooked rabbits or hares for the retail, wholesale, or export trade"—

has made the following Determination, namely :—

1. That on the 14th October, 1953, 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 (Males).	Percentage of Basic Wage.	Total Wage.
	% s. d.	s. d.
Under 16 years of age	42	98 6
16 years of age	57	134 0
17 years of age	69	162 0
18 years of age	90	211 6
19 years of age	100 + 29 0	264 0
20 years of age	100 + 35 6	270 6

PROPORTION.

Males.

One apprentice or improver to every four or fraction of four adult workers.

Other Employees.	Total Ordinary Wage.
	£ s. d.
Rabbit skinners or boners	15 14 0
Grader who grades for the export trade	15 19 6
Females washing, processing and/or packing rabbits	15 5 6
All others	15 5 6

No. 962.—10360/53.—PRICE 6D.

EMPLOYEES IN FREEZING CHAMBER.

3. Notwithstanding the rates provided in clause 2, 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.

4. Time of beginning 6.30 a.m.: Time of ending 4.30 p.m. Monday to Friday inclusive.

OVERTIME.

5. (a) Outside the hours fixed as the time of beginning and ending work .. } Time and a half provided that all work done after 12 noon on Saturday shall be paid for at double time.
Within the hours fixed as the time of beginning and ending work in excess of eight hours on any day Monday to Friday inclusive .. }
On Saturday .. .. }

(b) An employee required to work more than one hour's overtime after the usual finishing time, Monday to Friday inclusive, shall be paid in addition to overtime an allowance of 4s. tea money.

HOLIDAYS AND SPECIAL RATES.

6. (a) An employee, to become entitled to payment for any of the Public Holidays set out in sub-clauses (b) and (c) hereof, shall not be absent from his or her employment on either the day before or the day after such holiday, except as provided for in Clause 19 (Sick Leave), or with the consent of the employer.

(b) 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, Melbourne Cup 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.

(c) For all work done Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Melbourne Cup Day, Christmas Day, and Boxing Day, pieceworkers shall be paid double the rates mentioned in clause 22.

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

(e) *Double Time.*—For work done on any holiday which otherwise would have been an ordinary working day, Double Time shall mean a rate of payment for such work at the employee's ordinary rate in addition to the ordinary rate of payment for that day.

(f) In connection with the visit to Australia of Her Majesty, Queen Elizabeth, where a Public Holiday or Half-Holiday is proclaimed by Order in Council throughout any Municipality or part thereof, or within any defined area, such Public Holiday or Public Half-Holiday shall, so far as such Municipality or part thereof, or such defined area is concerned be deemed to be included in the list of Holidays herein prescribed.

UNION PICNIC DAY.

7. Union Picnic Day shall be observed on the third Wednesday in January of each year.

MINIMUM PAYMENT FOR SUNDAYS AND HOLIDAYS.

8. Any employee required to work on a Sunday or a Holiday mentioned in clause 6 (b) shall be given a minimum of four hours' work, or shall be paid for such period at penalty rates, which shall be double ordinary time.

TIME RATES.

9. 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 33⅓ 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.

10. Employees (pieceworkers included) who are required to wait for a longer period than thirty minutes before commencing work shall be paid for such excess at the wage rate provided for the class of work done. The work each day of a time worker once having commenced work shall, exclusive of meal breaks, be continuous.

TIME RECORD.

11. All employees (including pieceworkers) 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.

12. 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.

13. 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.

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

WET WORK.

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

MEAL HOURS.

16. (a) A period of one hour may be allowed for breakfast between the hours of 8 a.m. and 9.30 a.m. by agreement also a period of one hour for dinner shall be allowed between the hours of 11.30 a.m. and 1.30 p.m.

(b) Any employee required to work during a meal hour shall be paid double time, such double time to continue until such time as the employee has a meal break.

(c) If more than one hour's overtime is to be worked after the normal ceasing time, a meal break shall be taken at the normal ceasing time, provided that an employee required to work in excess of one hour after the normal ceasing time and/or meal break shall receive a minimum payment as for two hours.

SMOKE-OH.

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

ANNUAL HOLIDAY.

18. 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.

19. (*a*) Any employee who is absent from duty as a result of personal ill health or accident, shall be entitled to leave of absence without deduction of pay on the basis of half a day's ordinary pay for each complete month of service in each year.

Provided that such employee produces or forwards within 24 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, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year.

PROTECTIVE CLOTHING.

20. The employer shall supply daily free of charge to each employee engaged in the handling of unpacked rabbits or hares, a clean shirt and a pair of trousers, or other suitable clothing to be determined by the employer and the employee concerned, which shall remain the property of the employer and of which the employee shall take all reasonable care. Such clothing shall be collected by the employee from a person or place specified by the employer in the employee's own time prior to commencing work and shall be returned to the employer in the employee's own time on cessation of work each day and also on demand at any time to such person or place as is specified by the employer. If the employee wilfully damages or fails to return the clothing, the employer may recover from the employee concerned the cost of replacing such clothing so damaged or not so returned, or may deduct such cost from any moneys payable to such employee.

The provisions of this clause shall operate as from the 1st July, 1952.

CONDITIONS OF EMPLOYMENT.

21. An employee may be employed on piecework or time work as provided for in this Determination provided that a pieceworker shall be paid in any one week the same amounts as would be payable to a time worker performing the same class of work for the same number of hours.

PIECEWORK.

22. The lowest piecework prices payable to any person engaged in the following kinds of work shall be:—

Skinning rabbits (heads off)	6s. 9·2d. per 100
Skinning rabbits (heads on)	8s. 11·4d. per 100
Skinning hares	26s. 4·5d. per 100
Boning rabbit or hares (including washing weighing and taking in and out of chamber)	2·8645d. per lb.

Basic Wage.

23. (*a*) The wages rates set out in clause 2, are based upon the following basic wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 15 0	Melbourne

(*b*) The wages of Juveniles 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. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 29th September, 1953.

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No. 963] **FRIDAY, NOVEMBER 27.** **[1953**

Factories and Shops Acts.

DETERMINATION OF THE FROZEN GOODS 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 which now has the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, business or occupation of freezing or refrigerating goods of any kind for the purpose of trade or sale, including the packing or grading of such goods but not including—

(*a*) persons engaged in packing or grading eggs;

(*b*) persons engaged in packing ice-cream;

(*c*) persons engaged in the slaughtering and boning departments of meat works or abattoirs in the preparation and packing of meats, offals, and by-products in a fresh condition;

(*d*) persons subject to the jurisdiction of the Fruit Packing Board and of the Ice Board;

has made the following Determination, namely:—

1. That on the 14th October, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. WAGES.

Improvers and Juvenile Workers.			Other Employees.		
—	Per Week.	Per Hour.	—	Per Week.	Per Hour.
	£ s. d.	s. d.		£ s. d.	s. d.
16 years of age and under 17	6 13 6	3 $4^{1}/_{20}$	Chamber hands	16 8 6	8 $2^{11}/_{20}$
17 ,, ,, ,, 18	7 8 9	3 $8\frac{2}{3}$			
18 ,, ,, ,, 19	8 16 10	4 $5^{1}/_{20}$			
19 ,, ,, ,, 20	10 7 0	5 $2^{1}/_{10}$			
20 ,, ,, ,, 21	12 10 4	6 $3^{1}/_{10}$	All others	15 15 10	7 $10\frac{3}{4}$

For definition of juvenile workers, see clause 11.

PROPORTION OF IMPROVERS.

One improver to every 25 or fraction of 25 workers receiving not less than the hourly rate herein prescribed for "all others".

Temporary workers shall be paid time and a half on the ordinary rates for work done during ordinary working hours. For work done outside those hours they shall receive ordinary overtime rates.

NOTE.—The Wages Board has determined in accordance with section 25 (1) of the amended *Factories and Shops Act* 1934 that the trade is so unskilful that no person should be taken as an apprentice to the trade.

No. 963.—10362/53.—PRICE 6D.

ORDINARY WEEK'S WORK.

3. The number of hours which shall constitute a week's work shall be 40.

TIMES OF BEGINNING AND ENDING WORK.

4. The times of beginning and ending work each day shall be as follows :—

—	Time of Beginning.	Time of Ending.
(a) Meat Export Works.		
Hanging ground and grading room hands—		
Monday to Friday	7.45 a.m.	5.15 p.m.
Saturday	7.45 a.m.	12 noon
Chamber hands—		
Monday to Friday	8 a.m.	5 p.m.
Saturday	8 a.m.	12 noon
(b) Cool Stores Works.		
All employees—		
Monday to Friday	8 a.m.	5 p.m.
Saturday	8 a.m.	12 noon

OVERTIME.

5. The following rates, subject to the conditions stated in clause 7, shall be paid for all work done :—

(a) Outside the times of beginning and ending work as provided in clause 4.

(i) On Saturdays.—Time and a half fixed on the ordinary rates before starting time and double time on ordinary rates after 12 noon.

(ii) On other week days.—Time and a half.

(b) Within the hours fixed as the time of beginning and ending work :—

(i) In excess of four hours on Saturday and eight hours on other week days.—Time and a half.

(ii) In excess of the number of hours fixed for a week's work in clause 3.—Time and a half.

(c) In excess of 8 hours on Saturdays—treble ordinary rates.

The overtime rates payable for work done on Sundays and holidays are provided for in clause 8.

LIMITATION OF HOURS OF WORK.

6. (i) No employee shall be required to work more than 16 hours in any one day.

(ii) No employee shall be required to work more than 12 hours' overtime in any one week provided that this limitation of overtime shall not apply to loading out for shipment.

MINIMUM OF OVERTIME.

7. If an employee is required to work more than one hour and a half on any day after the time of ending work as provided in clause 4 or if having ceased work for the day for not less than one hour, and is required to work, he shall receive a minimum of two hours' pay at overtime rates.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

8. (a) Double time fixed on the ordinary rates shall be paid for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday, Melbourne Cup 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 be payable only for work done on the day so substituted.

In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a Public Holiday or Public Half-Holiday is proclaimed by Order in Council throughout any Municipality or part thereof, or within any defined area, such Public Holiday or Public Half-Holiday shall, so far as such Municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of Holidays herein prescribed.

An employee required to work on a Sunday or a holiday shall receive a minimum of four (4) hours' work or shall be paid for such four hours at double rates, and if required to work beyond such four hours the employer shall continue to employ such employee up to eight hours at any task, provided that such excess time shall not be taken into account for the purposes of sub-clause (ii) of Clause 6. If an employee is required to work in excess of eight hours on a Sunday or a holiday, he shall be paid treble ordinary rates for such excess work.

(b) Any person (other than a temporary worker) if not required to work on any day mentioned in clause 8 (a) as a holiday shall receive a day's pay (based on his ordinary rates) for such day provided that he is required to work for any portion of the working week in which such holiday occurs, provided that the provisions of this sub-clause shall not apply to Anzac Day when such day occurs on a non-working day. Any person who is required to work on a holiday for a period of less than eight hours shall receive double ordinary rate for the time so worked in addition to the ordinary rate for the balance of eight hours.

ANNUAL HOLIDAY.

9. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946, No. 5,111, and any amendments which may be made thereto from time to time.

SICK LEAVE.

10. (a) Any employee who 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—4 hours' ordinary pay for each complete month of service;

(ii) During any subsequent year of service—48 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.

For the purposes of this sub-clause service prior to the 1st June, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding 144 hours of working time, standing to the credit of the employee on the 1st June, 1952, shall not be reduced by virtue of the provisions of this sub-clause.

No employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

DEFINITIONS.

11. (*a*) A juvenile worker shall mean a person under 21 years of age (other than an improver) engaged in stamp marking carcasses, stamping, stringing and putting on tickets, handling or packing offals or by-products, scraping, nailing up, re-wiring, and branding packages, but not stacking cases of butter or eggs, sweeping up and acting as an assistant to a Government Inspector.

(*b*) No improver or juvenile worker shall lift any article of a weight in excess of 50 pounds.

(*c*) A temporary worker shall mean any person (including a juvenile worker) other than a hanging ground or grading room employee who is employed for less than three full consecutive working days. Saturdays, Sundays, and holidays are not to be counted as working days, i.e., Friday, Monday, and Tuesday would be three consecutive working days whether Saturday or Sunday is worked or not.

GENERAL CONDITIONS.

MEAL HOURS.

12. (*a*) All work done during a meal hour shall be paid for at the rate of double time, fixed on the wage for the day on which such meal hour is worked.

(*b*) *Meat Export Works.*—Breakfast. A period of one hour between the hours of 6 a.m. and 9 a.m. shall be allowed for breakfast. Dinner—One hour between 12 noon and 1.30 p.m. shall be observed as a dinner hour. Tea—when work is to be continued for more than one and a quarter hours after the time fixed for ending work in clause 4 (*a*) one hour between 5 p.m. and 6.30 p.m. shall be observed as a tea hour, and if such overtime is to finish not later than midnight, work shall then proceed uninterruptedly (except for a smoke-oh as provided in clause 13). If however, work is to continue after midnight, one hour (before midnight) shall be observed as a meal hour, and thereafter, one meal hour after each four hours' work.

(*c*) *Cool Store Works.*—Not more than five hours shall be worked by employees in cool stores working between 7 a.m. and 6 p.m. without an interval of one hour for a meal. If work is to continue after 7 p.m., the hour from 5 p.m. to 6 p.m. shall be observed as a meal hour. If, however, work is to continue after midnight one hour (before midnight) shall be observed as a meal hour, and thereafter, one meal hour after each four hours' work.

SMOKE-OH.

13. Fifteen minutes interval without loss of pay shall be allowed for smoke-oh between ordinary starting time in the morning and 12 noon, and fifteen minutes between 1 p.m. and 6 p.m., provided that no employee shall be required to work for more than 2½ hours without a smoke-oh.

Provided also that employees who commence work before 7 a.m. and have no breakfast hour shall be allowed an interval of fifteen minutes without loss of pay at the end of each two hours' work until dinner hour. If men are required to work after 6 p.m. an interval of fifteen minutes without loss of pay after every two hours' work shall be allowed.

Notwithstanding anything provided elsewhere in this clause when five hours are worked between meal times, the smoke-oh shall consist of twenty minutes.

CHANGING TIME.

14. Chamber hands shall be allowed five minutes, changing time at the end of the day's work, such time to be counted as time worked.

WAITING TIME.

15. When an employee has been instructed to report at a certain hour and is kept waiting before he commences work such waiting time shall be paid for at ordinary rates provided for the class of work to be done.

MINIMUM HOURS OF WORK.

16 (*a*). An employee required to work on any day within the hours set out in clause 4 (*a*) or (*b*) shall be given a minimum of 3½ hours' work on Saturdays, and 8 hours on other days (except Sundays or holidays) or shall be paid for same, but they may be worked for any period beyond the hours fixed in clause 4 until such amount has been absorbed in payment at the rate applicable to the time worked.

(*b*) Except as provided in clause 15 herein an employer shall not be required to pay for any time the employee cannot usefully be employed because of any strike or other stoppages of work by any cause for which the employer cannot reasonably be held responsible.

(*c*) Notwithstanding the provisions of sub-clause (*b*) hereof any employee called to work exclusively outside the hours set out in clause 4 (*a*) or 4 (*b*), as the case may be, shall be given a minimum of 4 hours' work or shall be paid for same.

LEAKAGE OF AMMONIA.

17. No employee shall be required to work in a chamber where a leakage of ammonia is occurring.

CONTINUATION OF WORK BETWEEN MIDNIGHT AND TIME OF COMMENCING WORK AS SET OUT IN CLAUSE 4.

18. When an employee works for more than 2 hours between midnight and the ordinary time of commencing work, and continues to work during the day, the special rate provided in clause 5 (*a*) for work done outside the hours fixed for a day's work, shall continue to be paid for all work done until the employee has had a clear break from work of 12 hours.

CONTINUITY OF WORK.

19. The work of each employee on each day shall be continuous with the customary break for a meal.

COLD TEMPERATURES.

20. Employees called upon to work in a temperature less than four degrees above zero shall be paid 3d. per hour extra. No employee shall be compelled to work in a temperature below zero, and an employee who becomes overheated working outside a cool chamber shall be allowed time to cool down before entering the chamber. This provision shall be reasonably construed. In the event of any question as to the temperature of any chamber, reasonable access to the temperature readings shall be given to a representative of employees.

EMPLOYEES WORKING IN A FREEZING CHAMBER.

21. (*a*) No employee shall work in a freezing chamber, the temperature of which does not exceed 40 degrees Fahr. unless he is paid according to the rates provided for chamber hands in clause 2 hereof.

(*b*) Any employee who is required to work in a freezing chamber for a period exceeding in the aggregate one hour in any one day shall be paid for the whole of such day at the rate set out for chamber hands in clause 2 hereof.

MEAL ALLOWANCE.

22. (*a*) An employee required to work overtime for more than one and a quarter hours in Meat Export Works after the time of ending work in clause 4, shall be paid 4s. tea money provided that if intimation of overtime is not given 24 hours prior to being worked the tea money shall be paid prior to the tea interval. If having been notified of intention to work he shall receive, in the event of the work not being done or ceasing before respective meal times, 4s. for each meal.

(*b*) An employee required to work in Cool Stores for more than nine hours from the time of commencing work shall be paid 4s. tea money provided that if intimation of overtime is not given 24 hours prior to being worked the tea money shall be paid prior to the tea interval. If having been notified of intention to work he shall receive, in the event of the work not being done or ceasing before respective meal times, 4s. for each meal.

PROTECTIVE CLOTHING.

23. The employer shall supply daily free of charge to each employee engaged in the handling of naked meat and offal, a clean pair of overalls which shall remain the property of the employer and of which the employee shall take all reasonable care. Such overalls shall be collected by the employee from a person or place specified by the employer in the employee's own time prior to commencing work and shall be returned to the employer in the employee's own time on cessation of work each day and also on demand at any time to such person or place as is specified by the employer. If the employee wilfully damages or fails to return them the employer may recover from the employee concerned the cost of replacing such overalls so damaged or not so returned, or may deduct such cost from any monies payable to such employee.

TERMINATION OF EMPLOYMENT.

24. Employees may be paid off at any time without notice.

PROVISION OF OUTFIT.

25. The following articles shall be provided at each place where work under this Determination is done:—

(*a*) An ammonia outfit which shall be kept adjacent to the chambers.

(*b*) An alarm outfit in each chamber, such outfit to be connected with the engine-room.

(*c*) Waterproof capes and caps for use of employees engaged in de-frosting.

(*d*) Bagging for moccasins and suitable hand covering for use of chamber hands.

(*e*) Smocks or coats for persons pushing, carrying, or lifting hot meat or de-frosted meat, fresh or de-frosted rabbits, poultry, fish or cheese.

BASIC WAGE.

26. The wages rates set out in clause 2 are based upon the following basic wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	11 15 0	Melbourne

P. A. RANDLES, J.P., Chairman

J. V. WILLOX, Secretary.

Melbourne, 29th September, 1953

By Authority: W. M. HOUSTON, Government Printer, Melbourne.

VICTORIA

GOVERNMENT GAZETTE.

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No. 964] FRIDAY, NOVEMBER 27. [1953

Factories and Shops Acts.

DETERMINATION OF THE WATCHMEN'S BOARD.

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

(b) Section 225 of the *Factories and Shops Act* 1928 (No. 3677) provides that "every person employed as a watchman shall be granted one holiday in every week."

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed in lieu of the Nightwatchmen's Board to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the occupation of a watchman" has made the following Determination, namely:—

1. That on the 10th October, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination which embodies the Determination of the Industrial Appeals Court made on the 22nd March, 1951.

2.

Classes of Employees.	Wages per Week of 40 Hours.					
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.			Other Parts of Victoria where this Determination applies.		
	Wages.	War-time Loading.	Total.	Wages.	War-time Loading.	Total.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Watchman (other than watchmen as defined in clause 3), who in addition to watching, performs manual work not subject to the Determination of any other Wages Board, while performing such work, at the rate of	267 5	3 0	270 5	264 5	3 0	267 5
All others (other than watchmen as defined in clause 3)	252 0	3 0	255 0	249 0	3 0	252 0

WHARF WATCHMEN.

3. (a) Wharf Watchmen—i.e., persons employed as watchmen in connexion with overseas and/or interstate shipping shall be paid as follows:—

(i) On wharfs and/or ships (excluding ships' holds) at the rate of 6s. $7^{7}/_{10}$d. per hour.

(ii) In ships' holds at the rate of 7s. $2^{8}/_{20}$d. per hour.

(b) Hold Watchmen—When waterside workers engaged in handling cargo in a vessel's hold are paid an extra rate because of the obnoxiousness of such cargo, either by Board of Reference decision or by agreement, any hold watchman employed in such hold shall be paid an extra rate of 6d. per hour, or such lesser amount as may be paid to the waterside workers concerned.

(c) Wharf Watchmen—When a cargo watchman is engaged elsewhere than in the hold of a vessel, and is obliged to work in close proximity to cargo, which, because of its obnoxiousness, is the subject of an extra rate paid to the waterside workers handling such cargo, he shall be paid an extra rate of 3d. per hour for such period as he may be affected.

(d) Dangerous Cargo—When waterside workers are paid an extra rate for handling Ammonium Nitrate and Sodium Chlorate, such extra rate shall be paid to any hold watchman who may be employed in the hold where such cargo is being handled for such period as may be applicable.

(e) Hold and/or wharf watchmen commencing duty at 5 p.m. for the evening shift or at midnight for the midnight shift shall be paid 8 hours at the ordinary rate provided in each case the full shift is worked and provided further that he does not work a total of 8 hours by working on into the succeeding shift.

(f) Wharf watchmen shall be required to diligently attend to their duties as watchmen and immediately report to the Superintendent or foreman in charge of the hatch or the Ship's Officer on duty any cases of pillage or suspected or attempted pillage and damage, and if required, make notes and furnish reports regarding same. It is also required that smoking and committing a nuisance in the hold should be stopped and, if persisted in, reported in the manner directed above.

OVERTIME.

4. (a) All time worked by hold or wharf watchmen in excess of 8 hours from the commencement of any shift, Monday to Friday inclusive, shall be paid for at the rate of time and a half.

(b) Any time worked by watchmen other than hold or wharf watchmen in excess of 40 hours in any one week shall be paid for at the rate of time and a half.

(c) For the purpose of computing overtime, all time actually worked on Sundays shall be included, and all time worked on Saturdays or on holidays mentioned in clause 7 shall be excluded.

No. 964.—10363/53.—PRICE 6D.

EMPLOYMENT FOR LESS THAN FULL WEEK.

5. Employees except wharf watchmen as defined in clause 3, who are employed during any week for less than the working week of 40 hours shall be paid for the first 20 hours at the rate of time and a quarter, and for every hour thereafter ordinary time up to but not exceeding the ordinary wages rates for an ordinary week's work.

Provided that any person who is not engaged for a week but who earns a sum in wages equal to the wages of an ordinary week's work may be required by the employer to complete the week's work without further pay, and if such person refuses to do so he shall forfeit his right to any payment for that week unless his refusal is caused by his illness, inability, or some other sufficient cause beyond his control.

SPECIAL RATES FOR SATURDAY AND SUNDAY.

6. (*a*) Hold or Wharf Watchmen—Time and a half shall be the special rate for all work done on Saturday or Sunday.

(*b*) Watchmen, other than Hold or Wharf Watchmen—Time and a quarter shall be the special rate for all work done on Saturday and time and a half on Sunday.

SPECIAL RATES FOR HOLIDAYS.

7. (*a*) Double time shall be the special rate for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Queen'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.

Provided that a person who is directed by his employer to absent himself from duty on any of the days above mentioned shall if he is unable to complete 40 hours' work in that particular week, be paid ordinary rates for any such day on which he is absent.

(*b*) In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

TRAVELLING TIME AND FARES.

8. Any watchman employed on wharfs or ships at Newport, Williamstown or Yarraville shall be paid travelling time at the ordinary rate together with all fares necessarily incurred by the most economical means of travel from and to the place of engagement to and from the place of employment.

Travelling time at the ordinary rate shall be paid to any watchman employed on wharfs and ships at 21 South Wharf and beyond on the south side of the river, and at 22 Victoria Dock and beyond.

The above provisions shall not apply in cases where the employer provides, or offers to provide, transport.

EMPLOYEE PROVIDING OWN BICYCLE.

9. Any patrol watchman required by his employer to provide his own bicycle shall receive 1s. per week extra.

MINIMUM PAYMENT.

10. Any watchman called up for duty shall receive at least four hours' pay.

PAYMENT FOR MEAL TIMES.

11. No deduction shall be made in an employee's time for a meal period of 30 minutes unless he is permitted to leave his employer's premises for such meal. An employee shall not be required to punch clocks during the meal period of 30 minutes.

MEAL ALLOWANCE.

12. Where an employee is directed by the employer to work more than two hours into the next shift he shall be supplied by the employer with a meal or be paid a meal allowance of 3s., provided he was not specifically notified the previous day that he would be required to work.

ANNUAL HOLIDAY.

13. (*a*) 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.

(*b*) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed seven consecutive days' leave including non-working days. Provided always that this clause shall not apply to any employee whose normal working week is less than 35 hours.

(*c*) Where an employee with twleve months' continuous service is engaged for part of the twelve-monthly period as a seven-days' shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (*a*) hereof increased by half a day for each month he is continuously engaged as aforesaid.

(*d*) If in any twelve-monthly qualifying period a shift worker as prescribed in sub-clause (*b*) hereof lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid, in addition to all other amounts (including any payment in lieu of annual leave as prescribed by sub-clause (*a*) hereof) due to him, an amount equal to one-fiftieth of his ordinary pay for the period of employment as a shift worker.

SICK LEAVE.

14. (*a*) An employee, except wharf watchmen as defined in clause 3, who has been in the service of an employer for not less than three months, shall be entitled to sick leave of absence for a maximum aggregate of 40 hours of working time with full pay during each subsequent twelve months' service provided he produces satisfactory evidence to his employer that such absence was caused by ill-health or an accident.

(*b*) Notwithstanding the provisions of sub-clause (*a*) hereof, 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 80 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 18th November, 1946, shall be disregarded.

UNIFORMS.

15. Any employee required to wear a uniform whilst on duty shall be provided with such uniform by the employer free of cost to the employee. The uniform so provided shall remain the property of the employer.

BASIC WAGE.

16. The wages rates set out in clauses 2 and 3 are based upon the following basic wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 15 0	Melbourne

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 25th September, 1953.

By Authority: W. M. HOUSTON, Government Printer, Melbourne.

VICTORIA

GOVERNMENT GAZETTE.

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No. 965] **FRIDAY, NOVEMBER 27.** **[1953**

Factories and Shops Acts.

DETERMINATION OF THE MINERAL EARTHS 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 employed:—

(i) in the process, trade, business, or occupation of manufacturing or preparing mineral earths by milling, grinding, or pulverizing rocks, earths, or clays other than mineral ores;

(ii) in the process, trade, business, or occupation of pulverizing wood;

(iii) in the process, trade, business, or occupation of manufacturing or preparing any insulating material fabricated from molten stone"

has made the following Determination, namely:—

1. That on the 10th October,, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART 1.

Persons OTHER THAN those employed in the process, trade, business, or occupation of manufacturing or preparing any insulating material fabricated from molten stone.

2. WAGES PER WEEK OF 40 HOURS.

(a) IMPROVERS.

	Percentage of Basic Wage.	s. d.
Under 17 years of age	36	84 6
17 to 18 years of age	62	145 6
18 to 19 years of age	81	190 6
19 to 21 years of age	96	225 6

Proportions (in any place).

One improver to every six adult employees.

(b) OTHER EMPLOYEES.

	s. d.
Ball mill attendant and/or employee milling silica ..	287 0
Other Mill attendants	275 0
Persons not otherwise provided for, including mill feeders, baggers, and crusher hands	268 0

Leading Hands—

Leading hands in charge of not fewer than three and not more than twelve employees, 12s. per week extra; more than twelve employees, 20s. per week extra.

Note:—The above rates include an amount of 3s. as a clothing allowance.

No. 965.—10367/53.—PRICE 6D.

ADDITIONAL PAYMENT.

3. Employees working on milling of coloured pigments or handling diatomaceous or talite earths shall be paid an additional 3s. per day for each day, or part thereof, they are so employed.

PROHIBITION OF EMPLOYMENT.

4. The Board determines that no person shall be employed as an apprentice at any work covered by this Part.

HOURS OF EMPLOYMENT (EXCEPT IN THE CASE OF SHIFT WORK).

5. With the exceptions herein set out the ordinary hours of employment shall be 40 per week, to be worked in five days of not more than 8 hours and one day (Saturday) of not more than 4 hours, or five days of 8 hours each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday.

OVERTIME.

6. (*a*) That all time worked outside ordinary hours except by shift workers shall be paid for at the rate of time and a half for the first three hours' work, and double time thereafter.

(*b*) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

SHIFT WORK.

7. (*a*) The ordinary hours of shift workers shall not exceed—

(i) 40 in any week, to be worked in five shifts of 8 hours, on Monday to Friday inclusive, or five shifts of not more than eight hours and one shift (Saturday) of not more than four hours; or

(ii) 80 in fourteen consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week;

(iii) 120 in 21 consecutive days, in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

(*b*) Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

(*c*) Except at regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.

(*d*) Shift workers whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

(*e*) Subject to this sub-clause, shift workers for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 8 of this Part. Where shifts commence between 11 p.m. and midnight on Sundays and/or holidays, the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: Provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

(*f*) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Part or on a shift other than a rostered shift shall—

(i) if employed on continuous work (as defined), be paid at the rate of double time; or

(ii) if employed on other shift work, at the rate of time and a half for the first four hours and double time thereafter except in each case when the time is worked—

(iii) by arrangement between the employees themselves;

(iv) for the purpose of effecting the customary rotation of shifts: or

(v) is due to the fact that the relief man does not come on duty at the proper time:

Provided that when not less than eight hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved, the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift, and at the rate of double time thereafter, except where the employee is required to continue to work on his rostered day off, when he shall be paid double time.

"Continuous work" shall mean work carried on by shifts of at least 12 hours for not less than five consecutive days.

(*g*) Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop, or for at least six successive afternoons or nights in a six-day workshop, shall be paid at the rate of time and a half.

(*h*) A shift worker who, during a period of engagement on shift, works only on night shift and without some regular rotation with some other shift or with day work, shall be paid at the rate of time and a quarter for all time worked during ordinary working hours.

(*i*) The method of working shifts may in any case be varied by agreement between the employer and the employee concerned or the accredited representative of the union to suit the circumstances of the establishment.

HOLIDAYS.

8. (*a*) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay: The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, Queen's Birthday, Christmas Day, and Boxing Day.

In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed.

(*b*) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day only when the working week consists of five and a half days.

(*c*) All employees whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(*d*) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(*e*) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of double time.

CASUAL EMPLOYEES.

9. Casual employees, namely persons engaged and paid as such, shall receive the appropriate wages rate together with the addition of ten per cent.

ANNUAL HOLIDAY.

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.

SICK LEAVE.

11. (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, provided an employee remains in the service of the one employer or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st December, 1948, shall be disregarded provided that any accumulated sick leave, not exceeding 120 hours of working time. standing to the credit of the employee on the 1st December, 1951, shall not be reduced by virtue of the provisions of this sub-clause.

No employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

CONTRACT OF EMPLOYMENT.

12. (a) All employees (other than casuals) will, ready and available for work shall be paid the full weekly wage. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by two working days' notice on either side given at any time during the week, or by the payment or forfeiture of two days' wages as the case may be.

(c) The provisions of sub-clauses (a) and (b) hereof 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, or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

MEAL ALLOWANCE.

13. An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 2s. 6d. for each meal necessary.

PAYMENT OF WAGES.

14. Wages shall be paid not later than Thursday in each week in the employer's time.

RESPIRATORS.

15. When engaged at rock-crushing mills or any place where the inhalation of dust or other matter is likely to occur employees shall be provided, free of charge, with suitable and efficient respirators.

SHOWERS.

16. The employer shall provide hot and cold shower baths for the employees' use, together with one 8oz. cake of soap, or the equivalent, to each employee every fortnight.

WASHING TIME.

17. Persons employed on milling of coloured pigments shall be allowed ten minutes, and other employees five minutes, at the end of each day or shift, as washing time.

DINING ROOM, CHANGE ROOM AND LOCKERS.

18. The employer shall provide for the use of employees a dining room, changing room, and suitable lockers or hanging facilities which afford reasonable protection for each employee's clothes.

RIGHT OF ENTRY OF UNION OFFICIAL.

19. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions :—

(i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
(ii) That he interviews employees only at places where they are taking their meal.
(iii) That not more than one representative of each of not more than three unions be on the premises at any one time.
(iv) That no one representative visit the premises more than once in each week.
(v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Secretary for Labour.

Provided that where certain employees are working under a system of shift-work which precludes a representative from interviewing them during the midday meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement at such times, and under such conditions as the Secretary for Labour may decide.

(b) For the purpose of investigating complaints concerning the application of this Part, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions :—

(i) That he discloses to the employer or his representative the complaint which he desires to investigate;
(ii) that he makes his investigations in the presence of the employer or his representative (if the employer so desires);
(iii) that he does not interfere with work proceeding in the workshop or plant;
(iv) that he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization bound by this Part if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom :—

(Name of organization.)

This is to certify that is a duly accredited representative of the abovenamed organization.

General Secretary.

Seal.

Date—

Specimen signature of holder.

Strictly not transferable.

PART 2.

Persons employed in the process, trade, business, or occupation of manufacturing or preparing any insulating material fabricated from molten stone.

20. * WAGES PER WEEK OF 40 HOURS.

(a) Improvers.

Males.	Percentage of Basic Wage.	s.	d.
Under 17 years of age	36	84	6
17 to 18 years of age	62	145	6
18 to 19 years of age	81	190	6
19 to 21 years of age	96	225	6

Females.	Percentage of Female Basic Wage.	s.	d.
Under 16 years of age	38	67	0
16 to 17 years of age	51	90	0
17 to 18 years of age	54	95	0
18 to 19 years of age	64	112	6
19 to 20 years of age	73	128	6
20 to 21 years of age	83	146	0

PROPORTION (IN ANY PLACE).

Males.

One male improver to every six adult employees.

Females.

One female improver to every four or fraction of four female workers receiving not less than the adult female rate.

(b) Other Employees.

Males.	s.	d.
Leading charging hand	280	0
Assistant charging hand	264	0
Notcher	280	0
Oven hands	272	0
Process worker (including taker off conveyor or granulator attendant)	260	0

Leading Hands—

Leading hands in charge of not fewer than three and not more than twelve employees, 12s. per week extra; more than twelve employees, 20s. per week extra.

NOTE.—The above rates include an allowance of 7½ per cent. for all shifts.

Females.	s.	d.
Adult females	185	6

* These wages are loaded to compensate for industry disabilities.

PROHIBITION OF EMPLOYMENT.

21. The Board determines that no person shall be employed as an apprentice at any work covered by this Part.

HOURS OF EMPLOYMENT (EXCEPT IN THE CASE OF SHIFT WORK).

22. With the exceptions herein set out the ordinary hours of employment shall be 40 per week, to be worked in five days of not more than 8 hours and one day (Saturday) of not more than 4 hours, or five days of 8 hours each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday.

OVERTIME.

23. (a) That all time worked outside ordinary hours except by shift workers shall be paid for at the rate of time and a half for the first three hours' work, and double time thereafter.

(b) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

SHIFT WORK.

24. (a) The ordinary hours of shift workers shall not exceed—

(i) 40 in any week, to be worked in five shifts of 8 hours, on Monday to Friday inclusive, or five shifts of not more than eight hours and one shift (Saturday) of not more than four hours; or

(ii) 80 in fourteen consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week;

(iii) 120 in 21 consecutive days, in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

(b) Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

(c) Except at regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.

(d) Subject to this sub-clause, shift workers for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 25 of this Part. Where shifts commence between 11 p.m. and midnight on Sundays and/or holidays, the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: Provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

(e) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Part or on a shift other than a rostered shift shall—

(i) if employed on continuous work, be paid at the rate of double time; or

(ii) if employed on other shift work, at the rate of time and a half for the first four hours and double time thereafter; except in each case when the time is worked—

(iii) by arrangement between the employees themselves;

(iv) for the purpose of effecting the customary rotation of shifts; or

(v) is due to the fact that the relief man does not come on duty at the proper time.

Provided that when not less than eight hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved, the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift, and at the rate of double time thereafter, except where the employee is required to continue to work on his rostered day off, when he shall be paid double time.

(f) Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop, or for at least six successive afternoons or nights in a six-day workshop, shall be paid at the rate of time and a half.

(g) A shift worker who, during a period of engagement on shift, works only on night shift and without some regular rotation with some other shift or with day work, shall be paid at the rate of time and a quarter for all time worked during ordinary working hours.

(h) The method of working shifts may in any case be varied by agreement between the employer and the employee concerned or the accredited representative of the union to suit the circumstances of the establishment.

HOLIDAYS.

25. (a) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay :—The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, Queen's Birthday, Christmas Day, and Boxing Day.

In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any Municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed.

(b) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day only when the working week consists of five and a half days.

(c) All employees whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(d) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(e) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of double time.

CASUAL EMPLOYEES.

26. Casual employees, namely persons engaged and paid as such, shall receive the appropriate wages rate together with the addition of ten per cent.

ANNUAL HOLIDAYS.

27. 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.

28. (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, provided an employee remains in the service of the one employer or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st December, 1948, shall be disregarded provided that any accumulated sick leave, not exceeding 120 hours of working time, standing to the credit of the employee on the 1st December, 1951, shall not be reduced by virtue of the provisions of this sub-clause.

No employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

CONTRACT OF EMPLOYMENT.

29. (a) All employees (other than casuals) willing, ready and available for work shall be paid the full weekly wage. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by two working days' notice on either side given at any time during the week, or by the payment or forfeiture of two days' wages as the case may be.

(c) The provisions of sub-clauses (a) and (b) hereof 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, or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

MEAL ALLOWANCE.

30. An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 2s. 6d. for each meal necessary.

PAYMENT OF WAGES.

31. Wages shall be paid not later than Thursday in each week in the employer's time.

RESPIRATORS.

32. When engaged at rock-crushing mills or any place where the inhalation of dust or other matter is likely to occur employees shall be provided, free of charge, with suitable and efficient respirators.

SHOWERS.

33. The employer shall provide hot and cold shower baths for the employees' use, together with one 8-oz. cake of soap or the equivalent, to each employee every fortnight.

WASHING TIME.

34. Employees shall be allowed five minutes, at the end of each day or shift, as washing time.

DINING ROOM, CHANGE ROOM AND LOCKERS.

35. The employer shall provide for the use of employees a dining room, changing room, and suitable lockers or hanging facilities which afford reasonable protection for each employee's clothes.

RIGHT OF ENTRY OF UNION OFFICIAL.

36. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employer's premises during the midday meal break on the following conditions :—

(i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
(ii) That he interviews employees only at places where they are taking their meal.
(iii) That not more than one representative of each of not more than three unions be on the premises at any one time.
(iv) That no one representative visit the premises more than once in each week.

(v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Secretary for Labour.

Provided that where certain employees are working under a system of shift-work which precludes a representative from interviewing them during the midday meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement at such times, and under such conditions as the Secretary for Labour may decide.

(*b*) For the purpose of investigating complaints concerning the application of this Part, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

(i) That he discloses to the employer or his representative the complaint which he desires to investigate;
(ii) that he makes his investigations in the presence of the employer or his representative (if the employer so desires);
(iii) that he does not interfere with work proceeding in the workshop or plant;
(iv) that he conducts himself properly.

(*c*) A union representative shall be a duly accredited representative of an organization bound by this Part if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

This is to certify that (Name of organization.) is a duly accredited representative of the abovenamed organization.

Seal. General Secretary.

Specimen signature of holder. Date—

Strictly not transferable.

PART 3.

BASIC WAGE.

37. (*a*) The adult male rates set out in clause 2 of Part 1 and clause 20 of Part 2 are based upon the following basic wage.

Place.	Basic Wage	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 15 0	Melbourne

(*b*) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

(*c*) The wages of improvers shall be the appropriate percentages as set out in clauses 2 and 20. Such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 25th September, 1953.

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VICTORIA

GOVERNMENT GAZETTE.

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No. 966] **FRIDAY, NOVEMBER 27.** **[1953**

Factories and Shops Acts.

DETERMINATION OF THE BISCUIT BOARD.

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

(*b*) On the 21st June, 1913, the powers of the Biscuit Board were extended to enable it to "determine the lowest prices or rates which may be paid to any person employed as storeman, packer, or sorter in connexion with the trade or business of making biscuits."

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 employed in making biscuits," has made the following Determination, namely:—

1. That on the 15th October, 1953, 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.

—	Percentage Basic Wage.	Male Apprentices or Improvers.	Percentage of Female Basic Wage.	Female Apprentices or Improvers.
		s. d.		*s. d.*
Under 16 years of age	38	89 6	63	111 0
16 years of age ..	40	94 0	63	111 0
17 years of age ..	56	131 6	70	123 0
18 years of age ..	64	150 6	81	142 6
19 years of age ..	75	176 0	88	155 0
20 years of age ..	85	199 6	96	169 0

Apprentices or improvers engaged attending gas ovens during the baking of wafers and branettes shall be paid 5s. per week in addition to above rates.

PROPORTION (IN ANY PLACE).

Apprentices.

MALES.

One male apprentice to every three or fraction of three male workers receiving not less than 252s. per week of 40 hours.

FEMALES.

One female apprentice to every three or fraction of three female workers receiving not less than 195s. 9d. per week of 40 hours.

Improvers.

MALES.

Two male improvers to every male worker receiving not less than 252s. per week of 40 hours.

FEMALES.

Four female improvers to every female worker receiving not less than 195s. 9d. per week of 40 hours.

Other Employees.

WAGES.

	Per week of 40 hours. *s.*	*d.*
Bakers (including Wafer Bakers and Branette Bakers)	274	0
Brakesman	270	0
Machine Attendant	267	0
Men carrying and stacking flour	269	0
Mixers (including Wafer Mixers and Sugar Cream Mixers)	273	0
Oven firemen	268	0
Adult males operating "Enroba" chocolate dipping machine	260	0
Despatch hands	260	0
All other males	252	0
All other females	195	9

No. 966.—10372/53.—PRICE 6D.

TERMS OF ENGAGEMENT.

3. Employees who work less than 40 hours in any week may be paid *pro rata* according to the number of hours worked.

OVERTIME.

4.

(*a*) Places in which the week's work is performed in 5½ days—

Time worked in excess of 8 hours on any one day, Monday to Friday (inclusive) ..	Time and a half.
Time worked in excess of 4 hours on Saturday	Time and a half.

(*b*) Places in which the week's work is performed in 5 days—

Time worked in excess of 8 hours on any one day, Monday to Friday (inclusive) ..	Time and a half.

(*c*) Any time worked in excess of 40 hours in any week .. .. Time and a half.

TEA MONEY.

5. An allowance of 3s. for tea money shall be paid to all employees when work extends for more than two hours beyond the usual time of ending work.

ALLOWANCES.

6. Employees who wear, when at work, overalls, the laundering of which is not paid for by the employer, shall be paid an allowance of 2s. 6d. per week in addition to their ordinary weekly wage.

TIME BOOK OR OTHER RECORD.

7. The correct times of beginning and ending work shall be recorded daily in a book, time card, or by mechanical means to be furnished by the employer; such record to be open for inspection by the permanent Secretary-Treasurer of the Victorian Branch of the Biscuit Makers' Union of Australia.

MEAL TIME.

8. A meal period of not less than 30 minutes and not more than one hour shall be allowed after a period of five hours continuous work. Such meal period shall not be calculated as time worked.

EXTRA RATES.

9.

(i) All employees working on night work between the hours of 9 p.m. and 6.30 a.m. shall receive the rate of 5s. per night additional to the usual wage rate: Provided that when the employee works for less than half of the normal shift such payment in addition to the usual wage shall be 2s. 6d.

(ii) All employees on day work whose normal time of finishing work is 6 p.m. or up to 9 p.m. shall receive 2s. 6d. per shift in addition to the usual wages rate for such work subject to the provisions of clauses 3 and 4.

(iii) All employees on day work commencing work before 2.30 a.m. shall receive the rate of 5s. per shift in addition to the usual wages rate.

(iv) All employees on day work commencing between the hours of 2.30 a.m. and 6.30 a.m. shall receive the rate of 2s. 6d. per shift in addition to the usual wages rate.

(v) No female of any age shall be employed between the hours of 9 p.m. and 6.30 a.m.

SHIFT WORK.

10. Each employee engaged on shift work shall have a break of 10 hours between shifts.

SUNDAY WORK.

11. For all work done on Sunday, double time shall be paid with a minimum of 10s.

PAYMENT FOR HOLIDAYS.

12. Employees shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day, Union Picnic Day (i.e., second Monday in February in each year), Good Friday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; or any other day substituted for the above days by Act of Parliament or Proclamation.

Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday, Melbourne Cup 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.

In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

ANNUAL HOLIDAYS.

13. 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.

14. (*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—3⅓ 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 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, provided an employee remains in the service of the one employer or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st July, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding 80 hours of working time, standing to the credit of the employee on the 1st July, 1951, shall not be reduced by virtue of the provisions of this sub-clause.

REST PERIOD.

15. Female employees shall be allowed a period of ten minutes in the morning and ten minutes in the afternoon at a time to be mutually arranged between the employer and the Secretary-Treasurer of the Biscuit Maker's Union, such time to count as time worked. Reasonable facilities shall be provided by the employer for female employees to make tea during such interval if they so desire; provided that:—

(i) Such period shall not be allowed within one hour of commencing or finishing work for the day or one hour before or after a meal break; and

(ii) Employees shall conform to such arrangement as the employer may make to ensure the continuity of operations.

PIECEWORK.

16. (*a*) Subject to the minimum wages prescribed by clause 2 an employer may pay any of his employees under any system of payment by results based on rates which will enable workers of average capacity working under like conditions to earn at least 10 per cent. above the wages prescribed by clause 2.

(*b*) Any system of payment by results shall provide that all female employees doing the same class of work shall receive the same piecework, bonus or task rates.

(*c*) Any such system or any variation thereof shall be posted by the employer in a suitable position in the factory.

(*d*) Employees working under such system shall be paid for overtime, holidays, sick leave and annual leave at the amount applicable to time rate employees.

AUTHORIZED PERSON MAY ENTER FACTORY.

17. The permanent Secretary-Treasurer of the Biscuit Makers' Union of Australia, Victorian Branch, shall have the right to enter and inspect, during working hours, any part of a biscuit factory or workshop in which any work is being carried on. The Secretary-Treasurer of the Biscuit Makers' Union shall have the right to interview employees in regard to conditions of employment.

BASIC WAGE.

18. (*a*) The wages rates for males set out in clause 2 are based upon the following basic wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ *s.* *d.*	
Throughout the State	11 15 0	Melbourne

(*b*) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

(*c*) The wages of apprentices or 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. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 29th September, 1953.

By Authority: W. M. HOUSTON, Government Printer, Melbourne.