



VICTORIA GOVERNMENT GAZETTE.

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No. 32]

FRIDAY, JANUARY 29.

[1954

Factories and Shops Acts.

DETERMINATION OF THE RETAIL DAIRY BOARD.

NOTES.—(1) On 18th July, 1938, the Butter Board was deprived of the power to "determine the lowest prices or rates which may be paid to any person or persons whosoever employed in the process, trade, business, or occupation of preparing milk or cream for trade or sale by retail," and such power was conferred exclusively on the Retail Dairy Board.

(2) 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 whosoever employed in the process, trade, business, or occupation of preparing milk or cream for trade or sale by retail" has made the following Determination, namely:—

1. That on the 3rd December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Improvers.					Other Employees.			
Wages Per Week of 40 Hours.					Wages.*			
	Shift Workers.		All Others.			Per Week of 40 Hours.		
	Percentage of Basic Wage.	Amount.	Percentage of Basic Wage.	Amount.		Shift Workers.	All Others.	
		<i>s. d.</i>		<i>s. d.</i>		Weekly Wage.	Weekly Wage.	
		<i>s. d.</i>		<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>	
Under 16 years ..	..	..	50	*118 6	Manager	*291 6	*280 6	
16-17 years ..	..	..	58	*137 6	Foreman	*286 6	*275 6	
17-18 years ..	..	..	66	*156 6	Operator of—			
18-19 years ..	84	*199 0	75	*177 6	Pasteurizer	*272 6	*261 6	
19-20 years ..	92	*218 0	84	*199 0	Separator or milk cooler ..	*267 6	*256 6	
20-21 years ..	98	*232 6	90	*213 6	Washer or sterilizer of cans or bottles	*267 6	*256 6	
					All others	*266 6	*255 6	

PROPORTION (IN ANY PLACE).

Males.

One improver to every eight or fraction of eight workers receiving not less than 25s. 6d. per week of 40 hours.

* Adult employees whose usual hours of duty extend over six days per week shall receive in addition to their usual weekly wage prescribed in this Determination an additional 11s. 6d. per week; provided that improvers whose hours of duty are similarly extended shall receive *pro rata* the additional amount prescribed herein for adults.

* An additional amount of 20s. per week shall be paid to all employees provided—

(i) that this amount shall not be paid to any employee who absents himself from work without reasonable excuse on any day he is so required to work; and

(ii) sub-clause (i) hereof shall not apply to the rostered day off or to an employee who is absent on sick leave pursuant to clause 11.

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

3. (a) "Ordinary Worker" is a person who works his 40 hours between the hours of 7 a.m. and 6 p.m. either in five days of eight hours per day or in six days of six hours 40 minutes per day, except as varied by clause 4.

(b) "Shift Worker" is a person other than an ordinary worker.

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CONTINUITY OF WORK.

4. The work of each day or shift shall be continuous, provided that any break (other than the meal-time set out in Clause 13) shall be calculated as time worked and paid for at the ordinary rate of pay, provided further that an ordinary worker receiving and treating milk after 6 p.m. shall receive time and a half for the hours so worked after 6 p.m., calculated at and in addition to the ordinary worker's weekly wage.

OVERTIME.

5. All time worked by a six day a week worker in excess of 8 hours 40 minutes on any one day or by a 5 day a week worker in excess of 8 hours on any one day or by either (or both) in excess of 40 hours in any one week shall be paid for at the rate of time and a half: provided that all work done on the seventh day by a six day a week worker or on the sixth or seventh day by a 5 day a week worker shall be paid for at double time with a minimum payment as for four hours on any such sixth or seventh day. Provided further that an employee shall not be paid overtime on a weekly basis for any time for which he is entitled to receive overtime payment on a daily basis.

ROSTERED DAY OR DAYS OFF.

6. (a) (i) A 6 day a week employee if working day work shall be entitled to one clear day off in each seven days, or if working shift work shall be entitled to one clear shift off in each seven shifts.

(ii) A 5 day a week employee if working day work shall be entitled to two clear consecutive days off in each seven days, or if working shift work shall be entitled to two clear consecutive shifts off in each seven shifts.

(b) Each employer shall fix a regular day or days off, alterable only by giving seven days notice to the employee concerned.

CASUAL LABOUR.

7. Any employee who is employed for three days or less in any working week shall be paid at the rate of double time for the hours worked with a minimum payment of five hours in any one day, provided that any employee called upon to work on more than three days shall receive a full week's wages, irrespective of the number of hours worked not exceeding 40 per week.

TERMS OF ENGAGEMENT.

8. All employees (other than casual employees) shall be paid the full weekly wage irrespective of the number of hours fixed not exceeding 40 per week.

SPECIAL RATES.

9. Double time shall be paid for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Christmas Day, Boxing Day, and Melbourne Cup Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays this provision shall apply only to 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.

ANNUAL HOLIDAYS.

10. (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) If the business be sold or transferred during the period of service the employee shall be entitled to the holidays herein prescribed at the conclusion of six or twelve months' service, as the case may be, with the firm or business.

SICK LEAVE.

11. (a) Any employee who has been in the employment of the same employer for a period of not less than three months and who does not attend for duty shall lose his pay for the actual time lost unless such employee produces or forwards within 24 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, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health or accident for more than six days in each year or a proportionate 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 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 twelve days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay. For the purposes of this sub-clause service prior to 1st September, 1945, shall be disregarded.

ALLOWANCE.

12. (a) Where an employee is required by law or by his employer to wear a washable outer overall, two such overalls of a proved type and quality (not exceeding two each year of employment) shall be provided by the employer within two weeks of the commencement of employment; such overalls shall remain the property of the employer.

(b) Employees employed on can washing, tipping milk, or where they are constantly required to work in wet conditions necessitating the wearing of waterproof aprons, rubber boots or suitable protective footwear shall be supplied with such articles by the employer, and the articles so supplied shall remain the property of the employer. With regard to footwear, the employer alternatively may pay an allowance of 1s. 6d. per week to each employee eligible for such footwear.

MEAL TIME.

13. Employees shall be allowed a meal break of not less than 30 minutes and not more than 60 minutes in each day or shift. Such meal break shall be taken not earlier than 3 hours and not later than 5 hours from the time of commencing work or from the time of the last previous meal break.

If the employer requires an employee to work during the meal break he shall be paid at the rate of time and a half until such time as the employee has a meal break.

TIME BOOK OR OTHER RECORD.

14. (a) Each employer shall at the place of employment keep a record or time book in which each employee shall indelibly record daily his or her correct times of beginning and ending work, and in addition in such record or time book shall also indelibly record the total weekly hours worked and the amount of wages received for such week.

(b) Such record or time book shall, on demand, be produced by the employer for inspection to any officials (not more than two at one time) of the Federated Cold Storage and Meat Preserving Employees Union of Australasia duly authorized in writing by the President and Secretary of the local branch or sub-branch of the Union, at the place of employment. Such inspection shall be completed as soon as is reasonably possible.

(c) Where an employee performs work for which a special rate is provided, a record of such work and the nature of same shall be recorded in the time book or equivalent record.

(d) The record or time book shall show the particulars herein required for not less than the last preceding three months of employment.

TERMINATION OF EMPLOYMENT.

15. Seven days' notice of termination of employment shall be given by either employer or worker or one week's wages shall be paid or forfeited, as the case may be. Notwithstanding anything in this clause an employer may at any time forthwith dismiss an employee for refusal or neglect to obey orders, misconduct, or carelessness in the performance of his duties, or if after receiving seven days' notice of termination of employment the employee does not carry out his duties in the same manner as before such notice.

PERIODICAL ADJUSTMENT OF WAGES.

16. 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 17.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Throughout the State	<p style="text-align: center;">£ s. d.</p> <p style="text-align: center;">11 17 0</p>	Melbourne

ADJUSTMENT OF BASIC WAGE.

17. (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, 1954, the amount of the Basic Wage shall be as prescribed in clause 16.

(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, 3rd December, 1953.



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No. 33]

FRIDAY, JANUARY 29.

[1954

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 2 (BOOT REPAIRERS).

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 employed—

- (a) in the process, trade, business, or occupation of a boot repairer ;
(b) in a boot repair shop selling grindery or other goods usually sold in such shops,

has made the following Determination, namely :—

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

2.

APPRENTICES OR IMPROVERS.

Males.					Females (see clause 4).					
Wages per Week of 40 Hours.					Wages per Week of 40 Hours.					
	Commencing Age.									
	Under 16 years.	16 years.	17 years.	18 years or over.						
	s. d.	s. d.	s. d.	s. d.					s. d.	s. d.
1st year	80 6	116 0	116 0	142 0	Under 16 years of age .. .. .	..	..	..	..	90 6
2nd year	116 0	142 0	142 0	177 6	16 and under 17 years of age .. .. .	..	..	..	..	101 0
3rd year—					17 and under 18 years of age .. .. .	..	..	..	..	110 0
1st 6 months	142 0	177 6	177 6	230 0	18 and under 19 years of age .. .. .	..	..	..	..	120 6
2nd 6 months	166 0	189 6	189 6	242 0	19 and under 20 years of age .. .. .	..	..	..	..	133 0
4th year—					20 and under 21 years of age .. .. .	..	..	..	..	144 0
1st 6 months	177 6	201 6	230 0	Minimum wage	PROPORTION (BY ANY EMPLOYEE).					
2nd 6 months	189 6	213 6	242 0	Minimum wage	<i>Apprentices.</i>					
6th year—					One female apprentice to every three or fraction of three female adult workers receiving not less than the minimum wage.					
1st 6 months	201 6	230 0	Minimum wage	Minimum wage	<i>Improvers.</i>					
2nd 6 months	213 6	242 0	Minimum wage	Minimum wage	Two female improvers to every female adult worker receiving not less than the minimum wage.					
6th year—					PROPORTION (IN ANY PLACE).					
1st 6 months	230 0	Minimum wage	Minimum wage	Minimum wage	<i>Apprentices.</i>					
2nd 6 months	242 0	Minimum wage	Minimum wage	Minimum wage	One apprentice to every three or fraction of three workers receiving not less than 280s. per week of 40 hours.					
thereafter	Minimum wage	Minimum wage	Minimum wage	Minimum wage	<i>Improvers.</i>					
	Minimum wage	Minimum wage	Minimum wage	Minimum wage	One improver to every four workers receiving not less than 280s. per week of 40 hours.					

Wages per Week of 40 Hours.		Wages per Week of 40 Hours.				
		—		Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.
<i>Females (see Clause 4).</i>		<i>Males.</i>		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Adult females	.. .. . 184 6	Males	.. .. . 277 0	3 0	280 0	

SPECIAL PAYMENTS.

4. (a) In addition to the rates prescribed in clauses 2 and 3 hereof, any female employee required to do machining and/or solutioning of uppers; eyeletting; lacing; socking; pomming; attaching ornaments, buttons or buckles; cleaning; spraying; branding; sizing; solutioning and covering wood heels; skiving or trimming the insides and outsides of uppers (including cut-outs), shall be paid an additional $7\frac{1}{2}$ per cent.

(b) Any female employee required to do repairs not specified in sub-clause (a) hereof shall be paid male adult rates for the time so occupied.

TIMES OF BEGINNING AND ENDING WORK.

5. (a) For Males—		Time of Beginning.	Time of Ending.
Monday to Friday inclusive	.. .. .	8 a.m.	5.15 p.m.
(b) For Females—			
On Saturday	.. .. .	8 a.m.	1 p.m.
On all the other working days of the week	.. .. .	8 a.m.	6 p.m.

OVERTIME.

6. The following rates shall be paid for all work done:—

(a) By Males—			
Outside the times of beginning and ending work	.. .. .	.. .. .	} Time and a half.
Within the times of beginning and ending work, in excess of 40 hours in any week	.. .. .	.. .. .
(b) By Females—			
Outside the times of beginning and ending work	.. .. .	.. .. .	} Time and a half.
Within the times of beginning and ending work, in excess of 40 hours in any week	.. .. .	.. .. .

PAYMENT FOR HOLIDAYS.

7. (a) All employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Days Trade Picnic Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Melbourne Cup Day, Christmas Day, and Boxing Day; but if any other be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this provision shall apply only to the day so substituted.

(b) When Christmas Day, Boxing Day or New Year's Day fall on a Saturday or Sunday and no holiday is substituted in lieu thereof, employees shall have an additional day or days, as the case may be, added to his annual leave or be paid for each such day an amount equivalent to one-fifth of the ordinary weekly wage paid to such employees.

PAYMENT FOR WORK DONE ON SUNDAYS.

8. All time worked on Sunday shall be paid for at the rate of treble time with a minimum payment as for a full day of 8 hours whether such full day is worked or not, provided that time worked in the alteration of plant or machinery necessary for resumption of work the next following working day shall be paid for at the rate of time and a half.

SPECIAL RATES.

9. Double time shall be the rate for all work done on New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Melbourne Cup Day, Christmas Day, or 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 day so substituted.

Provided that outside the Metropolitan District another holiday may be substituted for Melbourne Cup Day in clauses 7 and 9.

9a. 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 prescribed in clauses 7 and 9 hereof.

Provided that an employee who fails to attend for work on the working day 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.

MEAL INTERVAL.

10. An interval of not less than half an hour and not more than one hour shall be allowed for the midday meal.

NOTE.—Section 117 (3) of the *Factories and Shops Act 1928* (No. 3677) provides that no person shall be employed in any shop more than five hours without an interval for a meal.

REST PERIOD.

11. On Monday to Friday inclusive a rest period of not less than ten minutes each day shall be given to employees at a time suitable to the employer. Such rest period may be taken in periods of five minutes each.

PAYMENT OF WAGES.

12. (a) Wages shall be paid in the employer's time either on Thursday or Friday in each week except when holidays intervene.

(b) Not more than two days pay shall be kept in hand by the employer.

(c) Any employee whose services have been terminated by the employer before the usual time of payment shall be paid all moneys due to him within 30 minutes of such termination.

TEA MONEY.

13. An employee who is required to work overtime for more than one and one-half hours on any day after the usual finishing time shall be paid a meal allowance of 3s.

ANNUAL HOLIDAY.

14. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holiday) Act 1946* (No. 5111), and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act, which may be purchased from the Government Printer, Melbourne, at a cost of 1s., plus postage.)

TERMINATION OF EMPLOYMENT.

15. (a) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees 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 when work is not available and/or 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.

(b) A weekly employee to be entitled to the weekly wage shall be available, ready and willing, to perform his or her usual work during the days and hours usually worked by such class of employee.

SICK LEAVE.

16. (a) No deduction shall be made from the wages of any employee who has had not less than three months' continuous service with the same employer and who is unavoidably absent through illness for not more than 40 hours of working time in any year of service, provided he or she has submitted within 24 hours of the commencement of such absence if practicable evidence satisfactory to the employer that the same is not the result of his or her own misconduct.

(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 may be entitled in any year without deduction of pay.

For the purposes of this sub-clause service prior to 1st May, 1948, shall be disregarded.

FACILITIES FOR MAKING TEA.

17. Facilities for making tea shall be provided by the employer for the employees at the commencement of rest periods and meal hours.

PERIODICAL ADJUSTMENT OF WAGES.

18. The wages rates for adult males set out in clause 3 is 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 19.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

19. (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, 1954, the amount of the Basic Wage shall be as prescribed in clause 18.

(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 rate for adult females is 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. The wages rate for adult females shall be adjusted by increasing or decreasing such rate by the amount of the difference from time to time in the said basic wage for females.

(e) The wages of Apprentices or Improvers shall be the appropriate percentages as set out hereunder, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

APPRENTICES OR IMPROVERS.

Males.					Females.					
Percentage of Basic Wage.					Percentage of Female Basic Wage.					
	Commencing Age.									
	Under 16 Years.	16 Years.	17 Years.	18 Years or Over.		Under 16 years of age	16 and under 17 years of age	17 and under 18 years of age	18 and under 19 years of age	19 and under 20 years of age
1st year	34	49	49	60	..	..	..	..	..	51
2nd year	49	60	60	75	..	..	..	..	..	57
3rd year—					..	..	..	..	..	62
1st 6 months	60	75	75	97	..	..	..	..	..	68
2nd 6 months	70	80	80	100+5s.	..	..	..	..	..	75
4th year—					..	..	..	..	..	81
1st 6 months	75	85	97	..	..	..	..	..	..	..
2nd 6 months	80	90	100+5s.	..	..	..	..	..	..	..
5th year—					..	..	..	..	..	..
1st 6 months	85	97	..	..	..	..	..	..	..	..
2nd 6 months	90	100+5s.	..	..	..	..	..	..	..	..
6th year—					..	..	..	..	..	..
1st 6 months	97	..	..	..	..	..	..	..	..	..
2nd 6 months	100+5s.	..	..	..	..	..	..	..	..	..

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

J. V. WILLOX, Secretary.

Melbourne, 10th December, 1953.

