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Labour and Industry Act 1953.

DETERMINATION OF THE FRUIT GROWERS BOARD.

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

IN accordance with the provisions of the *Labour and Industry Act 1953*, 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 the cultivation, picking, grading, packing, and forwarding of fresh fruits, including grapes, and the making, casking, bottling, packing, and forwarding at the winery of wine, for trade or sale (but not including any person employed at such work which may be or is the subject of a Determination of the Jam Trade Board, the Fruit Packing Board, the Storemen, Packers and Sorters Board, or the Carters and Drivers Board)" has made the following Determination, namely:—

1. This Determination shall come into force and be operative as from the 8th December, 1954.

RATES.

2. (a) *Adult Males.*

Table A—Citrus and fresh fruit packing and all work in connexion therewith:

|  | Weekly Wage.<br>£ s. d. |
|--|-------------------------|
| 1. Leading hand (or 5s. per week above the highest paid employee under his supervision, whichever rate is the highest)             | 12 16 0                 |
| 2. Filling hopper for grader   | 12 13 0                 |
| 3. Wiring  | 12 15 0                 |
| 4. Sorter  | 12 13 0                 |
| 5. Motor lorry driver: (a) up to 3 tons capacity   | 12 16 6                 |
| (b) over 3 tons capacity   | 12 19 0                 |
| 6. Fork lift truck driver or driver of power trolley or tow motor  | 12 16 6                 |
| 7. Experienced packer, nailing and boxmaking   | 12 16 0                 |
| 8. Full cool store hands (i.e., persons who are engaged for at least 75 per cent. of their time in any day in cool-store chambers) | 12 17 ½ 0               |
| 9. Persons bringing fruit from and putting fruit into cool store chambers  | 12 11 0                 |
| 10. General labourer (one month's experience in the industry):—  |                         |
| (a) Fresh fruits   | 12 8 0                  |
| (b) Citrus   | 12 7 0                  |
| 11. General Labourer (other)   | 11 14 0                 |

Table B—Employees engaged in or in connexion with irrigation work; or at orchards, vineyards and plantations (including fruit pickers):

|   |         |
|---|---------|
| 1. Leading hand (or 5s. per week above the highest paid employee under his supervision, whichever rate is the higher) | 12 16 0 |
| 2. Tractor driver   | 12 12 0 |
| 3. Pruner (excluding citrus)  | 12 17 0 |
| 4. Dipperman (hot)  | 12 13 0 |
| 5. Concrete worker and/ or rack builder   | 12 18 0 |
| 6. Trellising (new)   | 12 18 0 |
| 7. Shaft sinker while sinking shafts over 8' deep   | 13 7 0  |
| 8. Digging seepage drains over 5' deep  | 12 16 0 |
| 9. Laying seepage pipes (Definition: An employee capable of laying seepage pipes without supervision)                 | 12 16 0 |
| 10. Picking citrus fruit  | 12 5 0  |
| 11. Picking other fruits  | 12 6 0  |
| 12. General labour (1 month's experience in the industry):—   |         |
| (a) Citrus  | 12 5 0  |
| (b) All other fruits  | 12 6 0  |
| 13. General labourer (other)  | 11 14 0 |

*Employees in Vineyards attached to Wineries:*—Employees provided for in Table B hereof on completion of two years' service or who have completed such service at the date of this determination shall be paid an additional amount of 5s. per week.

Table C—Employees in Wineries and Distilleries :

|   | Weekly Wage. |       |
|---|--------------|-------|
|   | £            | s. d. |
| 1. Head cellerman or head storeman having charge of more than four employees .. .. .                              | 13           | 13 0  |
| 2. Head cellerman or head storeman having charge of four or less number of employees .. .. .                      | 13           | 11 0  |
| 3. Leading hand in any department exercising supervision over the work of any other employee or employees .. .. . | 13           | 7 6   |
| 4. All other adult males .. .. .  | 13           | 0 0   |

(b) Female Employees.

- (i) The minimum wage payable under this determination to female employees of 18 years of age or more shall be 75 per cent. of the adult male basic wage.
- (ii) In addition to the wage prescribed in the preceding paragraph female employees of 18 years of age or more engaged on any of the classifications specified in Tables A and B of this clause shall be paid 75 per cent. of the margins prescribed therein.
- (iii) In addition to the wage prescribed in paragraph (i) of this sub-clause, female employees of 18 years of age or more engaged on any of the classifications specified in Table C of this clause shall be paid 33½ per cent. of the margins prescribed therein.
- (iv) The total wage for female employees of 18 years of age or more shall in the case of weekly employees be calculated to the nearest 6d., half or less than half of 6d. to be disregarded, and in the case of hourly employees to be calculated to the nearest ¼d., half or less than half of ¼d. to be disregarded.

(c) Junior Employees.

(i) The minimum wage payable under this determination to junior male and junior female employees shall be the under-mentioned percentages of the adult male or female rate for the classification upon which they are employed :

| Junior Males.                        | Percentage of Adult Male Rate. | Junior Females.                      | Percentage of Adult Male Rate in Tables A and B. |
|--------------------------------------|--------------------------------|--------------------------------------|--|
| 15 and under 16 years of age .. .. . | 45                             | Under 16 years of age .. .. .        | 45   |
| 16 and under 17 years of age .. .. . | 50                             | 16 to 17 years of age .. .. .        | 50   |
| 17 and under 18 years of age .. .. . | 60                             | 17 to 18 years of age .. .. .        | 60   |
| 18 and under 19 years of age .. .. . | 65                             | Junior Females.                      | Percentage of Female Rate—Table C.               |
| 19 and under 20 years of age .. .. . | 75                             |                                      |  |
| 20 and under 21 years of age .. .. . | 90                             | Under 16 years of age .. .. .        | 60   |
|                                      |                                | 16 and under 17 years of age .. .. . | 70   |
|                                      |                                | 17 and under 18 years of age .. .. . | 80   |

(ii) The total wage for junior employees shall, in the case of weekly employees, be calculated to nearest 6d., half or less than half of 6d. to be disregarded and in the case of hourly employees to be calculated to the nearest ¼d., half or less than half of ¼d. to be disregarded.

CASUAL EMPLOYEES.

3. Casual employees shall be paid 5 per cent. in addition to the rates prescribed for weekly employment. This payment shall be made in lieu of sick leave and public holidays prescribed for weekly employees in this determination. Casual employees shall be paid at an hourly rate determined by applying to the appropriate weekly rate plus 10 per cent. the divisor 44.

A casual employee means an employee who is engaged by the hour for a period of not more than a fortnight, or for the duration of the harvesting period of each individual employer, whichever is the longer.

PIECEWORK.

4. Piecework rates for work other than that for which piecework rates have been prescribed in this determination may be fixed by an employer and the employee at such rates approved by the Union as will enable the average employee working the ordinary hours prescribed by this determination to earn at least 12½ per cent. above the prescribed time rate. Such rates shall, when fixed, be paid in lieu of the said time rate.

STANDING-BY TIME.

5. An employee ordered to stand-by for duty shall be paid at ordinary rates for the whole period of such stand-by until released or until he commences work.

ENGAGEMENT.

6. Employees (other than casual employees) shall be deemed to be hired by the week subject, however, to the following provisos :—

- (a) An employee who absents himself from duty (public holidays prescribed by clause 13 of this determination excepted) shall not be entitled to payment in respect of time of such absence except in respect of his rights prescribed by clause 16 of this determination.
- (b) Employment shall be terminated by one week's notice given by either party, which notice may be given at any time provided that the termination of employment shall take effect at the end of a day's work, or by the payment or forfeiture (as the case may be) of a week's wages.
- (c) No employer shall terminate an employee's engagement merely for the purpose of depriving an employee of his or her right to payment for a public holiday specified by clause 13 of this determination.

SHIFT WORKERS.

7. (a) Employees may be worked on shifts which shall not exceed 8 hours without payment of overtime.  
 (b) Shift workers, whilst on afternoon and night shifts, shall be paid 10 per cent. more than the ordinary rates for such shifts.

(c) All time worked in excess of 8 hours per shift, shall be paid for as overtime at the rate of time and a half for the first 3 hours and double time thereafter.

(d) Where shift work is adopted, shifts shall, as far as practicable, rotate regularly and where two shifts are worked one shall be regarded as the day shift and the second the afternoon or night shift. Where three shifts are worked they shall be divided into day, afternoon and night shifts.

(e) No employees shall work for more than four and a half hours without a break for a meal. Thirty minutes shall be allowed to shift workers each shift for crib and shall be counted as time worked.

(f) In any place in which shifts are worked or are to be worked pursuant to this determination, the employer shall have the right to decide and shall decide forthwith or before the commencement of such shift work which of the shifts be the day shift and shall notify each employee concerned accordingly.

(g) The employer shall, while shift work is being worked, exhibit and keep exhibited at the shed or place at which shifts are worked, in a place to which the employees have access, a notice specifying the times at which each shift shall commence and finish and which of the shifts is deemed to be the day shift.

(h) All shifts other than that designated by the employer as the day shift shall be regarded either as an afternoon or night shift and shall be paid for as such. The changing of shifts shall be by mutual arrangement between the employer and the employee.

(i) Shift workers whose working period includes Sunday as an ordinary working day shall be entitled to the rate of time and a half for their ordinary shift of eight hours worked on Sunday or any of the holidays mentioned in clause of this determination and shall receive pay at the rate of double time for work done on such days outside their ordinary shift.

#### HIGHER FUNCTION RATE.

8. An employee engaged on any one day or shift for a time exceeding four hours in the aggregate on work carrying a higher rate than his ordinary classification, shall be paid the higher rate for such day or shift.

#### PROPORTION OF FEMALES OR JUVENILES IN FRUIT PICKING.

9. (a) In fruit-picking, females of 18 years of age or more and juveniles shall not, unless paid wages prescribed for adult males, be employed in a greater proportion than one female of 18 years of age or more and one juvenile to each adult male employed at the orchard, vineyard or plantation either wholly or partly in fruit harvesting by the employer concerned.

(b) This clause shall not apply to the employment of any female of 18 years of age or more or juvenile, being the husband, wife, brother, sister, son or daughter of the employer concerned.

#### CHILDREN UNDER FIFTEEN YEARS OF AGE.

10. No child under fifteen years of age shall be employed in any capacity unless with the consent of the Union, or of its local representative nearest to the place where the child is to be employed. This clause shall not apply to an employer's own children.

#### HOURS OF DUTY.

##### (a) In Orchards and Vineyards.

11. (i) The ordinary hours of work shall not, without the payment of overtime, exceed 44 per week and shall be worked in five and a half days, Monday to Saturday inclusive.

(ii) By mutual agreement between employer and employee, the ordinary weekly hours hereinbefore prescribed may be worked in less than five and a half days.

##### (b) In Wineries.

(i) The ordinary hours of work shall not exceed 44 per week to be worked in 5 days of 8 hours (Monday to Friday inclusive) and one day (Saturday) of 4 hours.

(ii) By mutual agreement the weekly ordinary hours hereinbefore prescribed may be worked in five days (Monday to Friday inclusive) in which event the ordinary hours shall not exceed 8 hours 48 minutes on any day.

#### OVERTIME.

##### (a) In Orchards and Vineyards.

12. (i) All work done in excess of 44 hours in the week, of five and a half or less days other than Sunday, shall be paid for at the rate of time and a half for the first five hours and double time thereafter.

(ii) All work performed on Sundays shall be paid for at the rate of double time.

(iii) Notwithstanding the foregoing paragraphs, during the harvesting period of each individual employer, all work done in excess of 44 hours in each week shall be paid for at the rate of time and a half for the first ten hours and double time thereafter; provided that such ten hours each week may include four hours on a Sunday, at the rate of time and a half, but all time worked in excess of four hours on a Sunday shall be paid for at the rate of double time.

##### (b) In Wineries.

(i) Where the working week is worked in five and a half days, any work in excess of eight hours per day Monday to Friday inclusive or in excess of four hours on Saturday shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

(ii) Where the working week is worked in five days, any work in excess of 8 hours 48 minutes per day on Monday to Friday inclusive or work performed on a Saturday shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

(iii) All work performed on a Sunday shall be paid for at the rate of double time.

##### (c) General.

(i) All time worked during the ordinary meal hour shall be paid for at the rate of double time until a break of not less than the time usually allowed for meals is granted by the employer.

(ii) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled, provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

(iii) Where horses are hand-fed, but not stabled, any employer may enter into an agreement whereby the employees may undertake feeding and watering of horses belonging to the employer at the rate of 3s. 4d. per week for one horse, 5s. 4d., per week for two horses, and 1s. 4d., per week for each additional horse above the number of two, in lieu of payment for overtime for that work. Time occupied in mustering horses shall not be deemed to be covered by this sub-clause.

(iv) Where horses are stabled and hand-fed, any employer may enter into an agreement whereby the employees may undertake the tending, feeding and care of horses belonging to an employer at the rate of 6s. 8d. per week for one horse, 10s. per week for two horses, and 13s. 4d. per week for three, four or five horses in lieu of payment for overtime for that work.

#### SUNDAYS AND HOLIDAYS.

13. (a) for the purposes of this determination, a holiday is the day observed in the district concerned as any one of the following:—

New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Christmas Day, Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays these provisions shall only apply to the day so substituted.

(b) Weekly employees shall receive payment for the above-mentioned holidays at ordinary rates.

(c) All work other than piecework or shift work performed on holidays shall be paid for at the rate of double time.

(d) All work other than piecework or shift work performed on Sundays shall be paid for in accordance with clause 12 of this determination.

(e) Piece-workers employed other than in orchards or vineyards, whether employed on a weekly basis or not, who are not required to work on any of the above-mentioned holidays shall receive payment for such holidays at the appropriate time-work rate for the classification on which they are employed. The provisions of this sub-clause shall not apply if the piece-worker absents himself from his employment without reasonable cause on the day before and/or the day after the holiday.

(f) Piece-workers employed other than in orchards or vineyards, whether employed on a weekly basis or not required to work on holidays shall receive payment for all such piecework performed at ordinary piecework rates in addition to a day's wages at the appropriate time work rate for the classification in which the piece-worker is employed. The provision of this sub-clause shall not apply unless piece-workers are employed on the day before and the day after the holiday.

(g) A piece-worker employed on an orchard or vineyard shall be paid one day's pay at the ordinary weekly rate for his classification for each public holiday as prescribed in this clause which falls during the term of his employment, provided that the employee remains in that employment until the completion of the employer's harvest period or until his employment is terminated by the employer or such shorter period exceeding three consecutive weeks as may have been mutually agreed upon between employer and employee at the commencement of engagement.

The above-mentioned payment shall be made in addition to any piecework earnings for the work performed on such holiday.

The provisions of this sub-clause shall not apply if the piece-worker absents himself from his employment without reasonable cause on the day before and/or the day after the holiday.

(h) All piece-workers whether employed on a weekly basis or not, required to work on Sundays shall be paid for all piecework performed at the ordinary piecework rates in addition to the appropriate time-work rate for the classification on which he is employed for the time so worked.

The provision of this sub-clause shall not apply unless the piece-worker was employed by the employer on the Friday preceding and/or the Monday following the Sunday upon which the piecework is performed.

(i) Shift workers required to work on a Sunday or a holiday shall be paid in accordance with the provisions of clause 7 of this determination.

(j) Where an employee is absent from his or her employment on the working day or part of the working day before or after a holiday without reasonable excuse, or without the employer's consent, the employee shall not be entitled to payment for such holiday.

(k) A weekly employee dismissed within seven days of any of the said holidays and re-engaged within seven days thereafter shall be paid for such holiday, and a weekly employee dismissed within seven days of Christmas Day or Good Friday and re-engaged within seven days of New Year's Day or Easter Monday shall be paid for the prescribed Christmas holidays and for New Year's Day, or for the prescribed Easter holidays as the case may be.

(l) The provisions of this clause shall not apply to casual employees as defined in this determination.

#### TEA MONEY.

14. (a) An employee who works overtime shall, in addition to the rates prescribed herein, be paid 3s. 6d. for tea money on each night he or she works overtime after 6 p.m. but such payments need not be made to employees who can reasonably return home for meals or to employees who have been notified the day before that they will be required to work overtime.

(b) Employees required to work two hours' or more overtime following their ordinary day or night shift shall be allowed 30 minutes for crib (which may be taken in relays) and at intervals of every four hours thereafter outside of ordinary working hours (the same to be paid for at overtime rates).

#### TRAVELLING TIME AND ALLOWANCES.

15. (a) Where an employee is required by the employer to travel from one place of work to another the time occupied in travelling shall be counted as time worked and paid for as such.

(b) Employees compelled by their duties to spend the night away from their homes or the property on which they are employed, whichever is their normal place of sleeping during their employment, shall be paid an additional 6s. for each such night.

#### SICK LEAVE.

16. (a) Where an employee, after three months' continuous service with one employer becomes disabled by sickness or accident of himself or herself, proof of which is given to the employer, by medical certificate or other satisfactory evidence within 24 hours of the beginning of the employee's absence he or she shall, on account thereof, be entitled without deduction of pay to absent himself or herself from work up to an aggregate of one week of ordinary working time in each year. In such cases of sickness the full period of one week of ordinary working time shall be available at any time during the year.

(b) Such sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) hereof which has in any one year not been allowed, to an employee by an employer as paid sick leave may be claimed by the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in any subsequent year without diminution of the sick leave prescribed in respect of that year.

(c) If an employee dies whilst in the service of the employer the employer shall pay to his or her dependents (if any) the cash value of any accumulated leave standing to his or her credit.

(d) For the purpose of sub-clause (b) and (c) hereof sick leave shall not be regarded as accumulated until the end of each yearly period.

(e) For the purpose of this clause service shall be deemed to have commenced on the 8th December, 1954, in respect of employees in the employment of the employer on that date and as from the commencement of their employment in other cases.

(f) An employee shall not be entitled to sick leave of absence for any period in respect of which he or she is entitled to workers' compensation.

(g) A piece-worker shall be entitled to leave of absence subject to the conditions and limitations set out in sub-clause (a) hereof and in respect thereof, shall be paid at the time-work rate appropriate to the work at which he or she would, except for the illness or injury causing absence, have been employed.

#### ANNUAL HOLIDAY.

17. (a) The annual holiday for an employee on weekly hiring, or a casual employee, shall be as prescribed by the provisions of the *Labour and Industry Act 1953*; and any amendments which may be made thereto from time to time.

(b) In addition to the above, seven day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed for each twelve monthly qualifying period one week's leave including non-working days.

(c) Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven day shift worker, he shall be entitled to have the period of two week's annual leave prescribed by the said Act increased by 3½ hours for each month he is continuously engaged as aforesaid.

(d) If in any twelve-monthly qualifying period a seven day shift worker 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 seven shift worker.

#### WET WORK.

18. In addition to the wages provided for elsewhere in this determination the following special rates and/or allowances shall be paid and/or the special conditions of employment set out hereunder shall be observed:

(a) Definition: A "wet place" means where the clothing of the employee becomes wet, or a place where the employee has to stand in water or slush so that his feet become wet.

(b) Where an employee on any day works in a "wet place" as herein defined he shall be paid 3s. above his classified daily rate in addition to such rate, unless provided with adequate protective clothing.

## PROTECTIVE CLOTHING, ETC.

19. (a) Employees who are working under wet conditions, shall be provided, free of charge, with water proof aprons and gloves.  
 (b) Permanent block hands, engaged in irrigation work, or other wet work shall be provided free of charge with suitable rubber boots.  
 (c) Permanent block hands, engaged in spraying operations shall be provided free of charge with suitable rubber boots and protective clothing.  
 (d) Where employees are working under wet floor conditions and/or floors affected by fruit substances, duckboards shall be provided, except where gum boots are supplied.  
 (e) Employees engaged at pruning citrus trees shall be supplied with overalls free of charge if so requested by the employee.  
 (f) Employees engaged at picking citrus fruits shall be supplied with canvas gloves free of charge.  
 (g) Men on crimper shall be supplied with overalls free of charge.  
 (h) Employees engaged in steaming and/or cleaning down machinery shall be supplied with overalls free of charge.  
 (i) Employees engaged picking figs shall be supplied with gloves free of charge if required.  
 (j) Employees engaged in packing and/or grading citrus fruits shall be supplied with suitable gloves.  
 (k) Employees engaged in lumping or handling cased citrus fruits shall be supplied with leather aprons and gloves if required.  
 (l) All protective clothing equipment supplied must be returned on completion of employment, or otherwise paid for.

## HOT WATER.

20. The employer shall provide hot water at meal times when required by employees for making tea.

## SITTING ACCOMMODATION FOR FEMALES.

21. (a) Where practicable, suitable seating accommodation shall be provided by the employer for female employees.  
 (b) Where practicable seats shall be fitted with backs and employees shall be permitted to be seated while working.  
 (c) In the first instance, the employer shall decide where and when it is practicable to provide seating accommodation and to permit employees to be seated while working and, if the employees are dissatisfied with the decision, the Department of Labour and Industry, if and when it is referred to, shall decide the question.  
 (d) Where females have to work on concrete floors, the employer shall supply matting or bags or other suitable floor covering for them to stand on.

## WOOD, WATER AND SANITATION.

22. (a) The employer shall provide reasonable sanitary conveniences for all employees, and where males and females are employed, such conveniences shall be separate and apart and shall be kept in a clean condition.  
 (b) Employees residing on the employer's block, shall be supplied by the employer with waterbags, and suitable drinking water.  
 (c) Casual employees residing on the employer's block, shall be supplied by the employer with wood free of charge.  
 (d) Where wood is supplied to permanent employees residing on the employer's block, the charge to the employee for such wood shall not be greater than the cost of the wood to the employer.

## HOUSING ACCOMMODATION.

23. (a) The employer shall, where necessary during the term of employment, provide the employees with good and sufficient living accommodation, cooking utensils, table utensils, artificial light, clothes washing utensils and bathing facilities, and with a mattress and cover and pillow for each employee, each and all in accordance with the terms and requirements of any Act purporting to regulate such matters in any State and will provide them all in a clean and satisfactory condition. Kerosene or benzine tins shall not be deemed utensils for cooking or clothes-washing.  
 In the event of any State Act not requiring the provision of the items beforementioned they shall, notwithstanding such Act, be supplied by the employer.  
 (b) All the utensils shall be given up by the employees, clean and in good condition (reasonable wear and tear excepted) and any deficiency may be charged against such employee.  
 (c) No rent shall be charged by the employer in respect of hut accommodation provided for a permanent single employee or any casual employee, and the employee shall vacate such accommodation within 48 hours of termination of his employment.  
 (d) (i) Where by mutual arrangement the employer provides "keep" for an employee an amount not exceeding 58s. per week may be deducted from the earnings of the employee by the employer in payment therefor.  
 (ii) The amount of 58s. shall be adjusted, in accordance with the Table set out Clause 32 hereof.  
 (e) Where housing accommodation is provided for a permanent employee on or adjacent to the employer's property, the employer may deduct from the employee's earnings as rent for the accommodation so provided an amount to be mutually agreed upon between the parties.

## CHANGE ROOMS ETC.

24. Change rooms shall be provided for male and female employees where necessary containing:  
 (a) Lockers to hold personal belongings of employees, such lockers to be fitted with suitable locks.  
 (b) Showers where required.  
 (c) Hands basins with running water.  
 Suitable dining rooms, equipped with suitable and sufficient tables and seating accommodation shall be provided where necessary.

## PAYMENT OF WAGES.

25. The full amount of each employee's wage shall be paid to the employees by the employer every week in the employer's time. Casual employees shall be paid on the termination of their employment or paid at their ordinary rate for such time of waiting.  
 The employer shall pay at any time, on the written order of the employee, any obligatory contributions or charitable donations out of the amount for the time being due to the employee; provided that the employer shall not be required to make payment in respect of any such order which may be presented to him less than 24 hours prior to the time fixed for payment.

## TIME AND WAGES BOOK.

26. Each employer shall keep a time and wages record showing the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.  
 The record kept pursuant to this clause shall be signed by each employee each week upon receipt of wages and allowances payable to him.  
 The time and wages record shall be open for inspection to the Secretary of Branch Secretary or other officer of the Union duly authorized in writing, at the employer's proper or other convenient place. Provided that an inspection shall not be demanded unless the Secretary of the Union or District Secretary or Organizer or any other officer of the Union suspects that a breach of this determination has been, or is being, committed. Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

## POSTING UNION NOTICES.

27. The employer shall not prevent the Secretary or Branch Secretary or any officer of the Union duly authorized in writing from posting notices dealing with legitimate Union business, in a suitable place on a suitable board on the employer's shed or property. Any persons exercising this right shall produce his authority to the employer on demand.

RIGHT OF ENTRY.

28. The Secretary or Branch Secretary or any other officer of the Union duly authorized in writing by the Union shall have the right of entry upon an employer's property for the purpose of interviewing all employees, whether members of the Union or not, on legitimate Union business subject to the following conditions:—

- (a) No person other than a full-time officer of the Union shall exercise the right prescribed herein.
- (b) The authority shall be produced to the employer on demand, and, if reasonably practicable, shall be produced before interviewing any employees.
- (c) As far as practicable, employees shall be interviewed during mealtime or non-working hours.
- (d) Interviews held during working time shall be carried out expeditiously and with as little interference with work as possible.

If an officer of the Union has unduly interfered with the work being carried out on the employer's property or is offensive in his methods or has committed a breach of any of the foregoing provisions the employer may refuse the right of entry but the officer shall have the right to bring the refusal before the Department of Labour and Industry.

FIRST AID EQUIPMENT.

29. A suitable first aid kit shall be kept at all places of work, and a qualified first aid man (if available) shall be appointed to take charge of first aid equipment and to attend to any person injured during working hours. Such first aid man shall be paid 1s. per day in addition to his ordinary wages.

Definitions.

"Experienced packer" means an employee who has had one season's packing experience, unless otherwise agreed between the employer and the Australian Workers Union.

"Operating nailing machine (experienced)" means an employee who has had at least six months' experience, unless otherwise agreed between the employer and the Australian Workers Union.

"Harvest period" shall include the picking of all fruits, including citrus fruits.

"Weekly employee" means an employee who is under a weekly engagement and whose employment is continuous in the ordinary sense of the term, or whose duties or functions are general in the work of the block, shed, winery or distillery.

"Pruner" means an employee with previous experience in pruning:—

- (i) who is engaged to prune; or
- (ii) who is actually employed in pruning and is capable of pruning without supervision.

"Winery" means a place where fresh grapes are processed into wine.

"Wine distillery" means a place where wine made from fresh and/or dried grapes is distilled into spirit or brandy.

PERIODICAL ADJUSTMENT OF WAGES.

30. The wage rates for adult males set out in clause 2 are based upon the following basic wage, and, pursuant to the provisions of section 33 of the *Labour and Industry Act 1953*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause.

Basic Wage.

| Place.                       | Basic Wage (Adjustable). | Index Number Set Assigned. |
|------------------------------|--------------------------|----------------------------|
|                              | £ s. d.                  |                            |
| Throughout the State .. .. . | 11 14 0                  | Melbourne                  |

ADJUSTMENT OF BASIC WAGE.

31. (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, 1955, the amount of the basic wage shall be as prescribed in clause 30.

(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.

32. The Table referred to in clause 23 (d) (ii) hereof, and which is the basis of the adjustment of the amount may be deducted for "keep" is as follows:—

Table.

| Index Number Divisions. | Amount Deductable for Keep. |
|-------------------------|-----------------------------|
|                         | Per Week.<br>£ s. d.        |
| 218-5-223-4 .. .. .     | 2 15 0                      |
| 223-5-228-4 .. .. .     | 2 16 0                      |
| 228-5-233-4 .. .. .     | 2 17 0                      |
| 233-5-238-4 .. .. .     | 2 18 0                      |
| 238-5-243-4 .. .. .     | 2 19 0                      |
| 243-5-248-4 .. .. .     | 3 0 0                       |
| 248-5-253-4 .. .. .     | 3 1 0                       |
| 253-5-258-4 .. .. .     | 3 2 0                       |

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 23rd November, 1954.