



# VICTORIA GOVERNMENT GAZETTE.

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**[1956**

*Labour and Industry Act 1953.*

## DETERMINATION OF THE SHOPS BOARD No. 8 (DELICATESSENS)

NOTE.—(a) By Order in Council made on the 3rd July, 1956, the short title of this Board was altered from Shops Board No. 8 (Dairy Produce and Cooked Meat) to Shops Board No. 8 (Delicatessens), and at the same time a variation was made in the powers of the Board.

(b) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Labour and Industry Acts; the cities of Ballarat, Bendigo, Geelong West, Warrnambool, and Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Labour and Industry Acts, the Wages Board which now has the power "to determine any industrial matter in relation to the trade of a seller of dairy produce, cooked meat, pickles, sauces, salad dressings, and sandwich spreads," has made the following Determination, namely:—

1. That as from the first pay period to commence in August, 1956, the last previous Determination of the Board shall be revoked and replaced by this Determination.

### 2. WAGES PER WEEK OF 40 HOURS.

Apprentices or Improvers.					Other Employees.		
Male.			Female.				
—	Per-centage of Basic Wage.	—	—	Per-centage of Female Basic Wage.	—		
		£ s. d.				Males.	£ s. d.
Under 15 years of age ..	40	5 5 0	Under 15 years of age ..	48	4 14 6	Manager (i.e., the principal employee in any shop except a shop in which an owner or partner is working manager) .. .. .	16 3 0
15 years of age	42	5 10 6	15 years of age	51	5 0 6	*Travelling salesman .. .. .	15 1 6
16 years of age	48	6 6 0	16 years of age	55	5 8 6	All others .. .. .	15 1 6
17 years of age	63	8 5 6	17 years of age	62	6 2 0		
18 years of age	80	10 10 6	18 years of age	73	7 4 0		
19 years of age	97	12 15 0	19 years of age	83	8 3 6		
20 years of age	100+	13 18 0	20 years of age	97	9 11 0		
	15s.						
PROPORTION (in any shop or place).			PROPORTION (in any shop or place).				
<i>Apprentices.</i>			<i>Apprentices.</i>			<i>Females.</i>	
One apprentice to every three or fraction of three male workers receiving not less than the minimum wage.			One apprentice to every three or fraction of three female workers receiving not less than the minimum wage.			Manageress (i.e., principal employee in any shop where females only are employed, except a shop in which an owner or partner is working manager)—	
<i>Improvers.</i>			<i>Improvers.</i>			In charge of three or more assistants .. .. .	
One improver to first two or fraction of two, two to three; and thereafter one improver to every additional two male workers receiving not less than the minimum wage.			One improver to first three or fraction of three, two to four; and thereafter one to every additional three female workers receiving not less than the minimum wage.			In charge of less than three assistants .. .. .	
						All others .. .. .	
						12 17 0	
						11 19 3	
						10 18 6	

\* The hours of a Travelling salesman include time occupied in attending to horses or motor vehicles.

## HIGHER DUTIES ALLOWANCE.

3. Where an owner, working partner, manager or manageress is absent from the shop for one day or more, an employee, who shall be nominated by the employer, shall be deemed to be the manager or manageress of such shop during the period of such absence and shall be paid accordingly.

## TIMES OF BEGINNING AND ENDING WORK.

4. On Mondays to Fridays (inclusive)	.. .. .	9.5 a.m.	.. .. .	5.30 p.m.
On Saturdays	.. .. .	9.5 a.m.	.. .. .	Noon.

## OVERTIME.

5. All time worked—

(a) in excess of the number of hours fixed as a week's work,

(b) outside the times of beginning and ending work,

shall be paid for at the rate of time and a half.

## TERMS OF EMPLOYMENT.

6. (a) *Weekly Employment.*

Except as hereinafter provided employment shall be by the week and a weekly employee who is ready willing and available to work the number of hours prescribed herein as a week's work shall be paid the full weekly wage fixed herein irrespective of the number of hours worked not exceeding 40: provided however, that such an employee not attending for duty except as provided by clause 20 (sick leave) hereof shall lose his or her pay for the actual time of such non-attendance.

Provided further that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing sick leave under this Determination.

(b) *Part Time.*

A weekly employee not ready willing and available to work the full number of hours normally worked by employees of similar classification with the same employer, but who is ready willing and available to work a specified lesser number of hours at his or her own request shall be paid *pro rata* the wages prescribed herein for 40 hours' work according to the number of hours worked: provided that the proportion of part time employees in any shop shall not exceed one for each three or fraction of three engaged as weekly employees.

Provided that any employee who is required to work less than 20 hours in any week, or less than 25 hours in any week if any period of such work occurs on a Friday or a Saturday, shall be deemed to be employed under the conditions of sub-clause (c) Casual Employment hereof.

(c) *Casual Employment.*

Where a person is ready willing and available to work the number of hours required by an employer, such being less than the number of hours prescribed herein as a week's work, he or she shall be paid as follows:—

(i) For time worked up to the first 20 hours—

In any week in which two or more Public Holidays occur—at the ordinary wages rates plus 50 per cent.

In any other week—at the ordinary wages rate plus 33½ per cent.

(ii) For time worked beyond the 20 hours aforesaid—the ordinary wages rate, provided that the total amount payable, excluding any overtime, shall not exceed the wage prescribed for a week's work.

(iii) An employee shall be entitled to a minimum payment as for 2 hours 55 minutes' work on a Saturday or for four hours' work on any other day.

## TERMINATION OF EMPLOYMENT.

7. Except where the conduct of an employee justifies instant dismissal, or the period of continuous employment is one month or less, one week's notice of termination of employment shall be given on a Monday by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof.

## ALLOWANCE.

8. Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering and purchase of which are not paid for by the employer, such employee shall be paid 7s. 6d. per week. Where the employer provides or supplies on loan such garment, the laundering of which is the responsibility of the employee the weekly allowance shall be 4s. 6d. in the case of a male and 4s. in the case of a female.

## SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

9. Treble time shall be the rate for all work done on Easter Saturday, and double time for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day, and within the Metropolitan District Melbourne Show Day, and Melbourne Cup Day. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the rate shall be payable for work done only on the day so substituted.

All employees shall be entitled to the above-named holidays without deduction of pay.

Olympic Day, 22nd November, 1956 (within such area as may be proclaimed by Order of Council), shall be deemed to be included in the list of holidays herein prescribed. Provided that any employee who fails to attend for work on the working day before and/or after such holiday without reasonable excuse, shall not be entitled to be paid for such holiday.

## PUBLIC HOLIDAYS.

9A. New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day, and within the Metropolitan District Melbourne Cup Day, or any day by Act of Parliament or Proclamation substituted for any of the said days shall be observed as Public Holidays.

## ANNUAL LEAVE.

10. The annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts.

## PAYMENT OF WAGES.

11. Payment of wages, including overtime, tea money, special rates, &c., shall be made not later than Thursday of each week, and during working hours.

## MEAL INTERVALS.

12. All employees who work more than four hours in any one day shall be allowed not less than one hour for a meal interval (Monday to Friday inclusive) which must be taken between the hours of noon and 2 p.m. During such meal interval employees shall be allowed to leave the employer's premises.

## NOTICE TO WORK OVERTIME.

13. At least 24 hours' notice shall be given when overtime is required to be worked.

## TEA MONEY.

14. Any employee required to work overtime in excess of one hour beyond the usual time of ceasing work shall be paid not less than 5s. tea money in addition to the overtime rates as prescribed for in this Determination.

Provided that such tea money shall not be payable when a meal is supplied by the employer.

## NOTICE OF INTENTION TO RATION.

15. Where an employer, owing to slackness of trade, desires to ration his employees, he shall give at least seven days' notice to each employee of his intention to ration such employee.

**BICYCLE ALLOWANCE.**

16. Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance at the rate of 3s. 6d. per week for such period as the bicycle is used.

**REFERENCE.**

17. On an employee being dismissed or leaving his or her employment he or she shall be entitled to and shall receive from the employer a reference stating the length of service, character, and qualifications. Such reference shall be given to the employee immediately on the termination of employment.

**FARES.**

18. Fares shall be paid by the employer to an employee who is required to work in more than one shop on the same day.

**REST PERIOD.**

19. An interval of ten minutes each morning and afternoon (Mondays to Fridays inclusive) shall be given as a rest period to all employees, and shall be counted as time worked.

**SICK LEAVE.**

20. (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 August, 1948, shall be disregarded.

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.

**TIME AND WAGES RECORD.**

21. The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Dairy Produce and Cooked Meat Traders' Association.

**WRITING MATERIALS.**

22. The employer shall provide the following items when they are required by the employee for the performance of his duties:—

- Ticket writing brushes and pens;
- Ball point pens.

**PERIODICAL ADJUSTMENT OF WAGES.**

23. The wages rates of 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 by the same amount and at the same time as such basic wage as prescribed in clause 24.

*Basic Wage.*

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies .. .. .	13 3 0	Melbourne

**ADJUSTMENT OF BASIC WAGE.**

24. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'C' series retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in November, 1956, the amount of the basic wage shall be as prescribed in clause 21.

(c) During each future successive period beginning with the first pay period to commence in a November, a February, a May or an August, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's 'C' series 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 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. The wages rates for adult females shall be adjusted by increasing or decreasing such rates 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 in clause 2. Such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 14th August, 1956.

NOTE.—This Determination was made pursuant to the provisions of the *Labour and Industry Acts*, and in his or her own interest each employer of labour should obtain a copy of the said Acts which may be purchased from the Government Printer, Melbourne.

