



VICTORIA GOVERNMENT GAZETTE

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 750]

TUESDAY, AUGUST 14.

[1956

Labour and Industry Acts.

DETERMINATION OF THE BUTTER FACTORIES 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 or classes of persons whosoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(a) butter, cheese, or casein ;

(b) cream for wholesale trade other than sterilized cream,"

and such power was conferred exclusively on the Butter Factories Board.

(2) This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Labour and Industry Acts, the Wages Board which has the power to "determine the lowest prices or rates which may be paid to any person or classes of persons whosoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale—

(a) butter, cheese, or casein ;

(b) cream for wholesale trade other than sterilized cream,"

has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 28th June, 1956, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

APPRENTICES OR IMPROVERS.

JUVENILE WORKERS.

	Wages per Week.					Wages per Week.			
	Percent- age of Basic Wage.	Shift Workers.	Percent- age of Basic Wage.	Ordinary Workers.		Males.		Females.	
						Percent- age of Basic Wage.	—	Percent- age of Female Basic Wage.	—
		<i>s. d.</i>		<i>s. d.</i>		<i>s. d.</i>		<i>s. d.</i>	
Under 16 years ..	..	..	59	151 0	Under 16 years ..	50	128 0	62	119 0
16-17 years ..	..	..	69	176 6	16-17 years ..	56	143 6	70	134 6
17-18 years ..	..	..	78	199 6	17-18 years ..	69	176 6	78	150 0
18-19 years ..	100 +	258 0	88	225 6	18-19 years ..	76	194 6	91	174 6
	2s.				19-20 years ..	89	228 0	99	190 0
19-20 years ..	100 +	270 6	99	253 6	20-21 years ..	100 +	258 0	100 +	202 6
	14s. 6d.					2s.		10s. 6d.	
20-21 years ..	100 +	278 0	100 +	284 0					
	22s.		8s.						

PROPORTION (IN ANY PLACE).

Males.

One apprentice to every three or fraction of three workers receiving not less than 289s. per week.

One improver to every eight or fraction of eight workers receiving not less than 289s. per week.

Females.

One apprentice and one improver to every three or fraction of three workers receiving not less than 222s. 8d. per week.

OTHER EMPLOYEES.

	Wages per Week.	
	Shift Workers.	Ordinary Workers.
	s. d.	s. d.
Cream grader	323 0	312 0
Milk grader	323 0	312 0
Milk or cream tester	323 0	312 0
Creamery manager	313 0	302 0
Milk or cream neutralizer	311 6	300 6
Foreman of shift or department or casein plant	313 0	302 0
Butter-maker	323 0	312 0
Re-worker and/or processor (not requiring a buttermaker's certificate)	303 0	292 0
Operators of any of the following machines, viz:—		
Separator	304 0	293 0
Pasteurizer vacreator, or deodorizer	304 0	293 0
Weighing machine	301 0	290 0
Filling machine for tinning of butter when butter has not been milled	303 0	292 0
Filling machine for tinning of butter when butter has been milled	302 0	291 0
Storeman or packer in butter canning establishments	302 0	291 0
Other storeman or packers	301 0	290 0
Casein-maker	319 0	308 0
Assistant to casein-maker, casein dryers, and millers	302 6	291 6
Cheese-maker	323 0	312 0
Assistant to cheese-maker	302 6	291 6
Cheese storehand	304 0	293 0
Male adult washing or sterilizing cans or bottles	301 0	290 0
Operator of a fork lift truck	303 0	292 0
All other adult males	300 0	289 0
All other adult females		222 3

Washers and/or cleaners of any enclosed vat or tank fitted with a man hole, the height of which compels reaching overhead, shall be paid at the rate of 5s. per week in addition to their ordinary wage, whilst so engaged.

DEFINITIONS.

3. "Juvenile worker" means a person under 21 years of age (other than an apprentice or an improver employed at—

- Patting, wrapping, or branding butter or cheese;
- Blending or re-packing cheese;
- Filling or cleaning cheese jars or moulds;
- Filling or emptying casein trays;
- Filling or drying casein in tunnels;
- Filling casein into bags;
- Weighing, filling, emptying, stacking, capping, sealing, opening, labelling, wrapping, packing, cleaning, or sterilizing tins, cartons, or bottles;
- Stamping or branding tins, cartons, cases, bottles, or labels;
- Stamping, branding, lining, or nailing up boxes or shooks, but not lifting full boxes; or
- Handling empty tins, cans, cases, crates, jars, moulds, or boxes.

"Ordinary worker" means a person—

- (a) who ordinarily works 8 hours between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday, when the ordinary week's work is performed in five days;
- (b) who ordinarily works 7 hours 12 minutes between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and four hours on Saturday between 7 a.m. and 12 noon when the ordinary week's work is performed in six days.

"Shift worker" is a person other than an ordinary worker. Males under 21 years of age (other than an apprentice or improver 18 years of age or over) or females of any age shall not be employed on shift work.

"Butter-maker" is a person who controls the temperature of cream for butter making, starts and stops the churn after filling with cream, and salts and works the butter.

"Assistant to cheese-maker" means any person employed in the working of the curd in the vats and processes up to and including unhooping the cheese from the presses. Not more than six assistants to cheese-makers shall be employed to each cheese-maker in any factory.

"Assistant to casein-maker" means any person employed in the working of the curd in the vats up to and including unhooping of the casein curd from the presses.

HOURS FOR A WEEK'S WORK.

4. The number of hours which shall constitute an ordinary week's work shall be 40.

PROHIBITION OF EMPLOYMENT.

5. No person under 21 years of age shall be employed placing cans in or removing cans from a mechanical washer.

OVERTIME.

The following rates shall be paid:—

(a) To "ordinary workers" for all time worked—

Outside the times of beginning and ending work as fixed in clause 3
 Within the times of beginning and ending work so fixed in excess of four hours on Saturday and 7 hours 12 minutes on the other working days where an ordinary week's work is worked in six days and for all time worked on Saturday and in excess of 8 hours on Monday to Friday inclusive where an ordinary week's work is worked in five days } Time and a half.
 Provided that double time shall be paid for all work done on Saturday after 12 noon.

(b) To "shift workers" for all time worked in excess of 6 hours 40 minutes on any day Time and a half.
 (c) An employer may require any employee to work reasonable overtime at overtime rates and the employee shall work overtime in accordance with such requirement.

MEAL INTERVAL.

7. An interval of not less than 30 minutes nor more than 60 minutes shall be granted for meals between the hours of 12 noon and 2 p.m., provided that females and juveniles shall be granted such interval not more than 4½ hours after starting work. Shift workers shall be allowed an interval of not less than 30 minutes nor more than 60 minutes for meal; such meal time to be not less than three and a half hours, or more than five hours from the time of beginning work, provided that no employee shall be compelled to work for more than five hours between meal intervals and without being allowed a crib time of fifteen minutes for which he or she shall be paid.

Meal time, if worked, shall be paid for at the rate of time and a half on prevailing rates, same to continue until such time as the employee has had the full time provided for a meal.

MEAL ALLOWANCE.

8. Any employee required to work more than 60 minutes overtime after the usual finishing time shall be paid, in addition to the overtime payable, an allowance of 4s. for a meal.

TIME BOOK OR OTHER RECORD.

9. Every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance, which shall be furnished by the employer.

INSPECTION OF TIME BOOK.

10. The Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australia be allowed to inspect the Time Record referred to in clause 9 and wages record (covering a period of two months prior to the inspection), during the office hours of the factory.

ALLOWANCE.

11. (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 whose work is performed under conditions in which their clothing would, in the absence of protective clothing, become saturated with moisture, shall be supplied free of cost with waterproof aprons. Protective footwear shall be supplied to employees required to work in wet places. Articles so supplied shall remain the property of the employer. With regard to footwear, the employer alternatively may pay an allowance of 2s. per week to each employee eligible for such footwear.

CONTINUITY OF WORK.

12. The work of each day or shift shall be continuous, with the customary break for a meal.

TIME WAGES.

13. (a) An ordinary worker ready, available and willing to work, employed on time wages for less than the number of hours fixed for an ordinary week's work between midnight Sunday and midnight Saturday shall for each hour worked up to one half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of 33 per centum, 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.

(b) Any shift worker ready, available and willing to work, employed 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 fixed for an ordinary week's work to be paid at the ordinary wages rate with an addition of 33 per centum, 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.

(c) Notwithstanding anything contained in sub-clauses (a) and (b) of this clause, an employee who has not been absent without reasonable cause from work on any of the ordinary days of any week in which a holiday mentioned in clause 23 occurs shall not lose payment from his weekly wage by reason of such holiday if not required for work on such holiday.

TERMINATION OF EMPLOYMENT.

14. Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker.

PAYMENT OF WAGES.

15. Wages shall be paid during ordinary working hours immediately on ceasing work on each pay day.

WASHING, DINING, AND DRINKING FACILITIES.

16. Adequate washing and drinking facilities shall be provided in each factory or department, and where, in the opinion of the Inspector of Factories, conditions necessitate their use adequate dining rooms, changing facilities, and showers shall be provided by the employer.

IMPROVER TO RECEIVE ADULT WAGE.

17. An improver employed at any class of work for which a certificate from the Department of Agriculture is required shall, unless he is working under the direct supervision of an employee so qualified, be paid the rates of pay prescribed for such an adult employee.

ROTATION OF SHIFTS.

18. Where more than one shift per day is worked there shall be a change of shift at least once every four weeks unless otherwise arranged by mutual consent.

NOTICE OF CHANGE OF SHIFT.

19. Where practicable each employer shall post on his premises in a place conveniently accessible to the employee a roster of shifts which shall specify the commencing times of ordinary working hours of such shifts. An employer shall not alter a roster of shifts, except upon giving at least seven days' notice of his intention so to do by posting such alteration in the manner aforesaid; providing that such roster of shifts may be varied at any time by agreement with the employer, and the employee concerned. Except where a change is necessary because of circumstances beyond the employer's control, an employee's place on the roster of shifts shall not be altered unless at least twenty-four hours' notice of such alteration has been given to the employee: provided that such notice need not be given where an alteration is made by mutual agreement.

ANNUAL HOLIDAY.

20. (a) Subject to the provisions of sub-clauses (b) and (c) hereof the annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts.

(b) Any shift worker who is rostered to work six or seven shifts per week including Saturdays, and/or Sundays and/or holidays shall be entitled for each twelve monthly qualifying period, one week's annual leave in addition to such leave as prescribed in sub-clause (a) hereof.

(c) Any person who is employed for only part of a twelve monthly qualifying period as a six or seven day shift worker shall be entitled to annual leave, or payment in lieu if the total period of service is less than the full qualifying period of twelve months, as follows:—

(i) during the period of service as such a shift worker, on a proportionate basis based on three weeks' annual leave for a full twelve monthly qualifying period, or payment in lieu, i.e., 3/50ths of the ordinary pay received during such period of service.

(ii) for the remainder of the period of service (if any) on a proportionate basis based on two weeks' annual leave for a full twelve monthly qualifying period, or payment in lieu, i.e., 1/25th of the ordinary pay received during such period of service.

SICK LEAVE.

21. (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 40 hours of working time in each year of employment or a proportionately 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. For the purposes of this sub-clause service prior to the 1st January, 1952, shall be disregarded, provided that any accumulated sick leave, not exceeding 120 hours of working time, standing to the credit of the employee on 1st January, 1955, shall not be reduced by virtue of the provisions of this sub-clause.

MIXED FUNCTIONS.

22. Where an employee is engaged in any one day or shift for more than two hours at work in a higher class than he is employed to perform, he shall be paid for the full day or shift at the highest rate payable for any such work under this Determination, but if he is so engaged for less than two hours he shall be paid at the rates fixed by this Determination only for the work he actually performs.

SPECIAL RATES FOR HOLIDAYS.

23. (a) Double time shall be the rate payable 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 be payable only for work done on the day so substituted. Provided that by mutual agreement between any employer and the employees concerned some other day may be substituted for Queen's Birthday.

(b) Any employee called to work part of a holiday shall be paid ordinary rate for the remainder of the day.

(c) Olympic Day, 22nd November, 1956, (within such area as may be proclaimed by Order in 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.

SPECIAL RATES FOR SUNDAY WORK.

24. (a) Time and a half shall be the rate payable for all work done on Sunday, providing that an employee shall be entitled to payment at the rate of double time for such Sunday work as shall be in excess of 40 hours worked since the previous Sunday exclusive of any overtime worked by him on Monday to Saturday, both inclusive.

(b) Any employee called to work part of a Sunday shall be paid ordinary rate for the remainder of the day.

DAY OFF FOR SHIFT WORKERS.

25. Seven day shift workers shall be entitled to one day off without pay in each week on any one of the days Monday to Sunday (both inclusive). The period of working time on such day off shall,

- (i) be taken into account for the purpose of prohibiting an employee from claiming benefits under the provisions of clause 13, and,
- (ii) count as time worked for the purpose of clause 24.

PAYMENT FOR WORK DONE ON ROSTERED DAY OFF.

26. Notwithstanding the provisions of Clause 24, an employee recalled to work on his rostered day off shall be paid double time and a quarter for Sunday, time and three quarters for Saturday, and time and a half for any other days of the week.

ROSTERING OF SHIFT WORKERS.

27. (a) Employees shall not be rostered off more than one Saturday and one Sunday in each seven consecutive weeks.

(b) Shift workers rostered to work on Sunday shall be paid in accordance with Clauses 24 and 26 of this Determination.

(c) Shift workers rostered to work on Saturday between midnight on Friday and midnight on Saturday shall be paid at the minimum rate of time and a half.

(d) Sunday shall be deemed to be the rostered day off in places which do not normally work on a Sunday.

EMPLOYEES NOT TO BE DEPRIVED OF RIGHTS.

28. Employees who have been absent from work on Worker's Compensation or sick leave as provided for by Clause 21 of this Determination, or who have been on annual leave, shall not be deprived of any benefit under Clause 21 of this Determination.

LIFTING OF WEIGHTS.

29. (a) Male employees under 18 years of age shall not lift weights in excess of 30 lb., and male employees between the ages of 18 years and 21 years shall not lift weights in excess of 45 lb.

(b) Female employees under 18 years of age shall not lift weights in excess of 25 lb., and female employees over 18 years of age shall not lift weights in excess of 35 lb.

PERIODICAL ADJUSTMENT OF WAGES.

30. The wages 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 31.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	12 16 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

31. (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 August, 1956, 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 an August, a November, a February, or a May, 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 $\cdot 103$ 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 $\cdot 5$ 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, improvers or juvenile workers 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, 14th June, 1956.

