



VICTORIA GOVERNMENT GAZETTE.

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[1939

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 19 (CONFECTIONERY, PASTRY, FRUIT AND VEGETABLE).

NOTES—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council made thereunder; such portion of the City of Sandringham as is not included within the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

(b) On the 21st December, 1922, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed whole or part time selling confectionery or pastry in any place in which the business of a restaurant is carried on, and such power was conferred exclusively on the Restaurant Board.

(c) On the 4th December, 1929, the power to determine the lowest prices or rates which may be paid to any persons employed in any bread shop was taken from the Shops Board No. 18 (Miscellaneous Shops) and conferred exclusively on the Shops Board No. 19 (Confectionery, Pastry, Fruit, and Vegetable).

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 persons employed in confectionery and pastry shops, or fruit and vegetable shops," has made the following Determination, namely:—

(1) That on the 1st December, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.			Other Employees.
Males.	Females.		
Wages per week of 48 hours.	Wages per week of 48 hours.		Wages per week of 48 hours.
—	In any shop wherein employees' wages are subject solely to this Determination.	In any other Shop.	
s. d.	s. d.	s. d.	s. d.
15 years of age or under .. 19 0	15 years of age or under .. 17 0	15 years of age or under .. 17 6	MALES—
16 years of age .. 24 0	16 years of age .. 19 0	16 years of age .. 20 0	21 years of age .. 58 6
17 " " .. 29 6	17 " " .. 23 6	17 " " .. 25 0	22 years of age .. 68 6
18 " " .. 37 0	18 " " .. 27 6	18 " " .. 29 6	23 years of age or over .. 80 0
19 " " .. 45 0	19 " " .. 32 6	19 " " .. 34 6	
20 " " .. 54 0	20 " " .. 38 0	20 " " .. 40 0	FEMALES—
PROPORTION (in any Shop or Place).			In any shop wherein employees' wages are subject solely to this Determination .. 46 0
One apprentice and one improver to every three or fraction of three workers receiving not less than the minimum wage.			In any other shop .. 50 0

(3) OVERTIME.—Any employee who in any week works for any time in excess of 48 hours shall be paid for such extra time at the rate of time and a half.

(4) TIME WAGES.—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to 24 hours, at the ordinary wages rate with an addition of thirty-three and one-third per centum, and for time worked beyond the 24 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

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(5) REFERENCES.—Every employee, on the termination of his or her engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

(6) SPECIAL RATES.—Time and a half shall be paid for all work done on Sundays, or any of the undermentioned public holidays, viz.—

New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act* 1928 as are within the area to which this Determination applies), Melbourne Cup Day, Anzac Day, Christmas Day or Boxing Day. If any other day be substituted by Act of Parliament or Proclamation for any of the abovementioned holidays, the special rate shall be payable only for work done on the day so substituted.

(7) SICK LEAVE.—Any employee not attending for duty, who has had not less than 12 months' service with the same employer, shall be paid for the actual time lost if such employee produces or forwards, within 24 hours of the commencement of such absence, evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence.

Provided that the employer shall not be obliged to pay the employee for such absence in respect of more than six days in any one year commencing from the 1st December.

(8) ANNUAL HOLIDAYS.—Any employee who has been in the service of the same employer for a period of not less than twelve months from the 1st December, 1939, shall be granted holidays on full pay for a period of one week in each year exclusive of the holidays specified in clause (6) herein. Such holidays shall be given within three months of the completion of each twelve months' service. Provided that the annual holidays, by agreement in writing between an employer and his employees, may be taken at any time convenient to both. Should an employee be dismissed for any reason other than misconduct at any time after nine months' service, but before the expiration of any period of twelve months he or she shall be entitled to *pro rata* holidays on full pay.

(9) PAYMENT OF WAGES, ETC.—Payment of all wages, overtime, special rates, and allowances due shall be made during working hours not later than Thursday each week.

(10) BICYCLE ALLOWANCE.—Where any person uses his or her own bicycle in the delivery or collection of goods for the employer, or in connexion with the employer's business, such person shall receive the sum of 2s. 6d. weekly in addition to any rate prescribed otherwise by this Determination.

(11) CLOTHING ALLOWANCE.—Where any person wears, whilst at work, any washable outer-garment, dress, or headwear, such garment, dress or headwear shall be supplied free of charge by the employer. The employer shall defray the cost of any necessary laundering of such garment, dress, or headwear or alternatively shall make, in addition to the payment of any rate prescribed otherwise by this Determination, a weekly allowance of 2s. 6d. to the wearer of such garment, dress or headwear.

(12) TIME AND WAGES RECORD.—The employer shall keep a time and wages record in the English language showing the name, age and sex 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 any of the following bodies, viz.—The Shop Assistants and Warehouse Employees' Federation of Australia, the Victorian Refreshment and Confectionery Shopkeepers' Association, the Melbourne and Metropolitan Retail Fruiters and Greengrocers' Association, and the Victorian Master Pastrycooks' Association.

(13) REST PERIOD.—On each day when not less than four hours' continuous work is done, a rest period of 10 minutes in addition to any prescribed meal interval shall be given. Such rest period shall count as part of time worked.

(14) MEAL INTERVALS.—Every person shall be allowed and shall receive the following meal intervals, with permission to leave the shop during the whole of such intervals, viz.—

On each day when work is done—1 hour for lunch, to be taken between 12 noon and 3 p.m.

On each day when work is done after 7.30 p.m.—An additional interval of three-quarters of an hour, to be taken between 5 p.m. and 7.15 p.m.

(15) TERMINATION OF EMPLOYMENT.—Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker, or a week's wages paid or forfeited, as the case may be, in lieu thereof.

J. K. McCASKILL, Chairman.

REX L. CECIL, Secretary.

Melbourne, 8th November, 1939.