



VICTORIA GOVERNMENT GAZETTE.

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MONDAY, DECEMBER 14.

[1942

Factories and Shops Acts.

DETERMINATION OF THE BREAD TRADE BOARD.

NOTES (i).—On 5th July, 1942, the application of this Determination was as follows:—

- (a) Clauses (1) to (15) inclusive applied to the Metropolitan District as defined in the Factories and Shops Acts, and the Order in Council thereunder, and 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; the boroughs of Eaglehawk and Sebastopol; the township of Kangaroo Flat, in the shires of Marong and of Strathfieldsaye; the township of Spring Gully, in the shire of Strathfieldsaye; and such portions of the shire of South Barwon and of the Moorpanyal Riding of the shire of Corio as are within a radius of 5 miles of the Geelong Post Office.
 - (b) Clause (1) and clauses (16) to (26) inclusive applied to the whole of the State *outside and excepting* those parts enumerated in the preceding paragraph.
 - (ii) On 31st May, 1938, the Bread Board, the Country Bread Board, and the Provincial Bread Board, were deprived of the power to "determine the lowest prices or rates of payment for bread making or baking," and such power was conferred exclusively on the Bread Trade Board.
 - (iii) The Board has prescribed a form of apprenticeship indenture.
 - (iv) Breadmaking and baking were proclaimed on 12th December, 1938, as Apprenticeship Trades under the *Apprenticeship Act 1928* for the Metropolitan District.
- Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne. (Price 3d.)
- IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates of payment for bread making or baking" has made the following Determination, namely:—
- (1) That on and after the 15th November, 1942, the last previous Determination of this Board shall be revoked, and replaced by this Determination.

WITHIN THE AREA SET OUT IN NOTE (i) (a).

(2) WAGES.—

	* Apprentices.	* Improvers.	Other Employees.				
	Per Week of 44 Hours. s. d.	Per Week of 44 Hours. £ s. d.	—	Foremen or Single Hands.	Dough- makers.	All Others.	
				Per Hour.	Per Hour.	Per Hour.	
				s. d.	s. d.	s. d.	
1st Year—		1st six months ..	} 5 19 8 and thereafter the minimum wage. PROPORTION (within any factory or place). One improver to every eight workers receiving not less than 139s. 4d. per week of 44 hours.				
1st six months ..	28 0	2nd ..					
2nd ..	28 9	3rd ..					
2nd Year—		4th ..					
1st six months ..	30 10	5th ..		<i>Ordinary Nights.</i>			
2nd ..	34 6	6th ..		Between 11 p.m. and 7 p.m. on the following day ..	3 4½	3 2	3 2
3rd Year—		7th ..					
1st six months ..	39 4	8th ..					
2nd ..	46 5		<i>Double Nights.</i>				
4th Year—			Between 8 p.m. and 7 p.m. on the following day ..	3 4½	3 2	3 2	
1st six months ..	54 3						
2nd ..	63 6		<i>Treble Nights.</i>				
5th Year—			Between 7 p.m. and 6 p.m. on the following day ..	3 4½	3 2	3 2	
1st six months ..	74 8						
2nd ..	87 2						
and thereafter the minimum wage.							
PROPORTION (within any factory or place). One apprentice to every three or fraction of three workers receiving not less than 139s. 4d. per week of 44 hours.							

* Except those subject to the jurisdiction of the Apprenticeship Commission.

(3) **PROHIBITION.**—Bread making or baking, as defined in the Factories and Shops Acts is hereby prohibited during the times specified hereunder, viz. :—

- (a) on "ordinary nights"—between the hours of 7 p.m. and 11 p.m.
 on "double nights"—between the hours of 7 p.m. and 8 p.m.
 on "treble nights"—between the hours of 6 p.m. and 7 p.m.
- (b) (without affecting the generality of the foregoing), between the hours of 12 noon on the Monday preceding the third Wednesday in January and 11 p.m. on such third Wednesday.

(4) **HOURS OF WORK.**—That the number of hours to be worked on each night (including the time spent at the doughmaking necessary for such night's work) shall be :—

		Apprentices.	Other Employees.
Ordinary nights		7 hours	7 hours
Double nights		9 ..	10 ..
Treble nights		9 ..	10 ..

(5) **OVERTIME.**—(a) That any employee (other than an apprentice) who works either—

- (i) for any time in excess of the number of hours fixed in clause 4, or alternatively,
 (ii) during any week for any time in excess of 44 hours,

shall be paid for such extra time at the wages rate of double time.

(b) That any apprentice who works on any one night for any time in excess of the number of hours fixed in clause 4 shall be paid for such extra time at the rate of 5s. per hour.

(6) **WEEKLY HOURS.**—That the number of hours to constitute an ordinary week's work shall be 44.

(7) **TIME RATE.**—(a) That 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 22 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 22 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

(b) In addition to any other rate to which he is entitled, any person employed for not more than 22 hours in any one week shall be paid, in respect of each night he is employed, fares from the Trades Hall, Melbourne, to his place of employment and return to the Trades Hall, Melbourne, by the cheapest means of regular rail, tram, or bus service available to him at the times of beginning or ending work as the case may be.

This shall include the fare charged by any available all-night service to employees travelling outside the times of ordinary services.

Provided that this sub-clause shall apply only to work done within the Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder and such portion of the City of Sandringham as is not included within the said District.

(8) **SPECIAL RATES FOR PUBLIC HOLIDAYS.**—That payment for all work done on New Year's Day, 26th January (Australia Day), Anzac Day, Good Friday, Easter Monday, 21st April (Labour Day), King's Birthday, Christmas Day, or Boxing Day shall be at the rate of time and a half; but if by Act of Parliament or Proclamation any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(9) **UNION REPRESENTATIVE.**—That the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

(10) **SUNDAY WORK.**—The Board determines, pursuant to the provisions of section 9, Act 4461, that, where a public holiday occurs upon a Tuesday, bread may be made or baked on the preceding Sunday after the hour of 8 p.m.

(11) **DEFINITIONS.**—

- (a) "Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.
- (b) "Double night" shall mean a night on which bread is baked to supply all the employer's customers for two days so as to obviate the necessity for any work being done on the following night.
- (c) "Treble night" shall mean a night on which bread is baked to supply all the employer's customers for three or more days so as to obviate the necessity for any work being done on the following two nights.

(12) **ANNUAL LEAVE.**—

- (i) That any employee who has been in the service of an employer for a period of not less than twelve months shall be granted two weeks' holiday (exclusive of the holidays mentioned in Clause 8) in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Fourteen days' notice shall be given by the employer to the employee before the latter commences his two weeks' holiday aforesaid.

- (ii) Any employee who has been for not less than three months in an employer's service, and whose engagement is terminated, shall receive seven and one-third hours' holiday payment at his ordinary rate for each month spent in such employer's service.

- (iii) For the purposes of this Clause service prior to the 7th September, 1941, shall be disregarded, provided that the rights of any employee under any previous Determination of this Board shall not be affected.

- (iv) During the continuance of the present war and for six months thereafter, by agreement between the employer and the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria (or in default of such agreement, with the approval of the Secretary for Labour) it shall be permissible to pay an employee two weeks' extra wages in lieu of annual leave.

Such payment shall be made before the commencement of the annual leave period concerned.

(13) **SICK LEAVE.**—Any employee not attending for duty, who has had not less than twelve months' service with the same employer shall not lose his pay 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 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 grounds of personal ill health or accident for more than four days in each year.

(14) **REST PERIODS.**—That on double and treble nights, employees shall be allowed two rest periods of ten minutes each which shall be counted as part of time worked. One of such rest periods shall be taken before the meal interval, and the other rest period shall be taken after the meal interval.

(15) **MEAL INTERVAL.**—That a meal interval of thirty minutes shall be allowed after the completion of not less than 2½ hours' work and not more than 5 hours' work.

WITHIN THE AREA SET OUT IN NOTE (I) (b).

(16) WAGES.—					
Apprentices.		Improvers.		Other Employees.	
Per Week of 44 Hours.		Per Week of 44 Hours.			
s. d.		£ s. d.			
1st Year—		1st year		Foremen or single hands .. 3s. 3d. per hour, or 143s. 0d. per week of 44 hours.	
1st six months ..	27 5	2nd "	} 5 15 0	Makers or bakers of rye bread, Vienna bread, or rolls	
2nd "	28 0	3rd "			
2nd Year—		4th "			
1st six months ..	30 0	PROPORTION (within any factory or place). One improver to every eight workers receiving not less than 133s. 10d. per week of 44 hours.		Doughmakers } 3s. 0½d. per hour, or 133s. 10d. per week of 44 hours. Persons not provided for elsewhere in this Determination	
2nd "	33 10				
3rd Year—					
1st six months ..	38 4				
2nd "	45 3				
4th Year—					
1st six months ..	52 10				
2nd "	62 0				
5th Year—					
1st six months ..	73 0				
2nd "	85 2				
and thereafter the minimum wage.					
PROPORTION. One apprentice to every three or fraction of three workers receiving not less than 133s. 10d. per week of 44 hours.					

(17) OVERTIME.—(a) That any employee (other than an apprentice) who works in any week for any time in excess of 44 hours shall be paid for such extra time at the rate of time and a half.

(b) That any apprentice who works in any week for any time in excess of 44 hours shall be paid for such extra time at the rate of time and a half for the first four hours, and thereafter at the rate of double time.

(18) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44.

(19) TIME RATE.—That 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 22 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 22 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work.

(20) UNION REPRESENTATIVE.—That the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

(21) SUNDAY WORK.—The Board determines, pursuant to the provisions of section 9, Act 4461, that, where a public holiday occurs upon a Tuesday, bread may be made or baked on the preceding Sunday after the hour of 8 p.m.

(22) SPECIAL RATES FOR PUBLIC HOLIDAYS.—That time and a half shall be the rate payable for all work done on New Year's Day, 28th January (Australia Day), Anzac Day, Good Friday, Easter Monday, 21st April (Labour Day), King's Birthday, Christmas Day, or Boxing Day; but if by Act of Parliament or Proclamation any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(23) ANNUAL LEAVE.—

(i) That any employee who has been in the service of an employer for a period of not less than twelve months shall be granted two weeks' holiday (exclusive of the holidays mentioned in Clause (22)) in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Fourteen days' notice shall be given by the employer to the employee before the latter commences his two weeks' holiday aforesaid.

(ii) Any employee who has been for not less than three months in an employer's service, and whose engagement is terminated, shall receive seven and one-third hours' holiday payment at his ordinary rate for each month spent in such employer's service.

(iii) For the purposes of this Clause service prior to the 7th September, 1941, shall be disregarded, provided that the rights of any employee under any previous Determination of this Board shall not be affected.

(iv) During the continuance of the present war and for six months thereafter, by agreement between the employer and the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria (or in default of such agreement, with the approval of the Secretary for Labour) it shall be permissible to pay an employee two weeks' extra wages in lieu of annual leave.

Such payment shall be made before the commencement of the annual leave period concerned.

(24) SICK LEAVE.—Any employee not attending for duty, who has had not less than twelve months' service with the same employer shall not lose his pay 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 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 grounds of personal ill health or accident for more than four days in each year.

(25) MEAL INTERVAL.—That a meal interval of thirty minutes shall be allowed after the completion of not less than 2½ hours' work, and not more than 5 hours' work.

(26) DEFINITION.—"Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.

P. A. RANDES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 10th December, 1942.

