



VICTORIA

GOVERNMENT GAZETTE.

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THURSDAY, DECEMBER 7.

[1944

Factories and Shop Acts.

DETERMINATION OF THE BISCUIT BOARD.

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 thereunder, and such portions of the city of Sandringham as are not included in 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 June, 1913, the powers of the Biscuit Board were extended to enable it to “determine the lowest prices or rates which may be paid to any person employed as storeman, packer, or sorter in connexion with the trade or business of making biscuits.”

[N 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 person employed in making biscuits,” has made the following Determination, namely:—

1. That on the 6th November, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.			Other Employees.	
WAGES PER WEEK OF 44 HOURS.			WAGES.	
	Male Apprentices or Improvers.	Female Apprentices or Improvers.	Per week of 44 hours. s. d.	
Under 16 years of age	s. d. 33 6	s. d. 33 6	Bakers (including Wafer Bakers and Branette Bakers)	115 0
16 years of age	35 9	33 6	Brakesman	111 6
17	49 6	37 0	Machine Attendant	109 0
18	56 6	43 6	Men carrying and stacking flour	117 0
19	66 6	47 3	Mixers (including Wafer Mixers and Sugar Cream Mixers)	115 0
20	75 3	51 3	Oven firemen	115 0
Apprentices or improvers engaged attending gas ovens during the baking of wafers and branettes shall be paid 5s. per week in addition to above rates.			Adult males operating “Enroba” chocolate dipping machine	108 0
			Despatch hands	108 0
			All other males	105 0
			All other females	63 6

PROPORTION (IN ANY PLACE).

Apprentices.

MALES.

One male apprentice to every three or fraction of three male workers receiving not less than 105s. per week of 44 hours.

FEMALES.

One female apprentice to every three or fraction of three female workers receiving not less than 63s. 6d. per week of 44 hours.

Improvers.

MALES.

Two male improvers to every male worker receiving not less than 106s. per week of 44 hours.

FEMALES.

Four female improvers to every female worker receiving not less than 63s. 6d. per week of 44 hours.

TERMS OF ENGAGEMENT.

3. Employees who work less than 44 hours in any week may be paid *pro rata* according to the number of hours worked.

OVERTIME.

4.—

- (a) Places in which the week's work is performed in 5½ days—
 Time worked in excess of 8 hours on any one day, Monday to Friday (inclusive) .. Time and a half.
 Time worked in excess of 4 hours on Saturday Time and a half.
- (b) Places in which the week's work is performed in 5 days—
 Time worked in excess of 8 hours 48 minutes on any one day, Monday to Friday (inclusive) Time and a half.
- (c) Any time worked in excess of 44 hours in any week Time and a half.

TEA MONEY.

5. An allowance of 1s. 6d. for tea money shall be paid to all employees when work extends for more than two hours beyond the usual time of ending work.

ALLOWANCES.

6. Employees who are required to wear, when at work, overalls, the laundering of which is not paid for by the employer, shall be paid the following allowance in addition to their ordinary weekly wage:—

Males aged 19 years and over	2s. per week extra.
Males under 19 years	1s. 6d. per week extra.
All females	2s. per week extra.

TIME BOOK OR OTHER RECORD.

7. The correct times of beginning and ending work shall be recorded daily in a book, time card, or by mechanical means to be furnished by the employer; such record to be open for inspection by the permanent Secretary-Treasurer of the Victorian Branch of the Biscuit Makers' Union of Australia.

MEAL TIME.

8. A meal period of not less than 30 minutes and not more than one hour shall be allowed after a period of five hours' continuous work. Such meal period shall not be calculated as time worked.

NIGHT WORK.

9.—

- (i) All employees working on night work between the hours of 9 p.m. and 6.30 a.m. shall receive the rate of 5s. per night additional to the usual wage rate: Provided that when the employee works for less than half of the normal shift such payment in addition to the usual wage shall be 2s. 6d.
- (ii) No female of any age shall be employed between the hours of 9 p.m. and 6.30 a.m.

SHIFT WORK.

10. Each employee engaged on shift work shall have a break of 10 hours between shifts.

SUNDAY WORK.

11. For all work done on Sunday, double time shall be paid with a minimum of 10s.

PAYMENT FOR HOLIDAYS.

12. Employees shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day (26th January), Union Picnic Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; or any other day substituted for the above days by Act of Parliament or Proclamation.

Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day, 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 only be payable for work done on the day so substituted.

ANNUAL LEAVE.

13. (a) Employers shall in each year give their employees continuously employed as herein defined seven consecutive days' leave.

(b) "Continuously employed" for the purpose of this clause means employed excepting breaks arising from slackness of work which shall be disregarded, for the six months immediately preceding the 25th day of each December. Any employee dismissed during the three weeks immediately preceding the 25th day of December shall be entitled to payment of one week's wage in lieu of annual leave.

(c) Employees who are not continuously employed for the six months immediately preceding the 25th day of December shall receive in lieu of annual leave one half day's wage for each complete month's service in that year or since their last annual leave, whichever is the shorter period.

(d) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrues and after not less than one week's notice to the employer: Provided that the giving of annual leave may, with the consent of the Secretary for Labour, be postponed for a period to be specified in cases where the exigencies of war render it impracticable to give it within the said period of three months.

(e) The employer may allow annual leave to an employee before the right thereto has accrued due but where leave is taken in such a case a further period of annual leave shall not commence to accrue until the expiration of the year in respect of which such annual leave has been taken.

(f) Each employee before going on leave shall be paid a week's wage or the proportionate amount under sub-clause (c) hereof. Payment in the case of employees on piecework shall be at the time rates prescribed for the respective classes of work.

SICK PAY.

14.—

- (i) Any employee not attending for duty shall lose his or her pay for the actual time lost unless he or she 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 accident arising in the course of his or her employment or to personal ill-health, but such employee shall not be entitled to payment for non-attendance on the ground of such accident or personal ill-health for more than five days in any one year: Provided that during the first year of service with an employer he or she shall not be entitled to more than one day's sick pay for the first three months; two days' sick pay for the first six months; three days' sick pay for the first nine months. For the purposes of this clause "year" shall mean a period of twelve months commencing on 27th day of May in each year.
- (ii) Any employee on piecework not attending for duty on the ground of personal ill-health shall be paid at the corresponding timeworker's wage for the period of ill-health in all respects as if, during such period, he or she had been a weekly timeworker employed on such days and during such hours as are usually worked by timeworkers upon any day shift, and he or she shall comply with and be subject to the conditions for timeworkers prescribed in paragraph (i) of this clause.

REST PERIOD.

15. Female employees shall be allowed a period of ten minutes in the morning and ten minutes in the afternoon at a time to be mutually arranged between the employer and the Secretary-Treasurer of the Biscuit Maker's Union, such time to count as time worked. Reasonable facilities shall be provided by the employer for female employees to make tea during such interval if they so desire: provided that:—

- (i) Such period shall not be allowed within one hour of commencing or finishing work for the day or one hour before or after a meal break; and
- (ii) Employees shall conform to such arrangement as the employer may make to ensure the continuity of operations.

- PIECEWORK.

16. The Board determines, under the provisions of section 150 of the *Factories and Shops Act 1928*, that any employer may fix and pay piecework prices to any person or persons or classes of persons employed at any work for which the Board has fixed the minimum wage, provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages that are fixed by the Board for such work.

AUTHORIZED PERSON MAY ENTER FACTORY.

17. The permanent Secretary-Treasurer of the Biscuit Makers' Union of Australia, Victorian Branch, shall have the right to enter and inspect, during working hours, any part of a biscuit factory or workshop in which any work is being carried on. The Secretary-Treasurer of the Biscuit Makers' Union shall have the right to interview employees in regard to conditions of employment.

PERIODICAL ADJUSTMENT OF WAGES.

18. The wages rates for males set out in clause 2 are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of adult females, apprentices, and improvers, shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause 19.

Basic Wage.

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies ..	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 4 18 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

19. (a) Until the beginning of the first pay period to commence in February, 1945, the amount of the basic wage shall be as prescribed in clause 18.

(b) 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 according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's 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:—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
994-1006	4 1 0	1118-1129	4 11 0
1007-1018	4 2 0	1130-1141	4 12 0
1019-1030	4 3 0	1142-1154	4 13 0
1031-1043	4 4 0	1155-1166	4 14 0
1044-1055	4 5 0	1167-1179	4 15 0
1056-1067	4 6 0	1180-1191	4 16 0
1068-1080	4 7 0	1192-1203	4 17 0
1081-1092	4 8 0	1204-1216	4 18 0
1093-1104	4 9 0	1217-1228	4 19 0
1105-1117	4 10 0	1229-1240	5 0 0

Any extension of this table must be of the same construction as the table.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 30th November, 1944.

NOTE.—In accordance with the provisions of Section 22 (2) Act 4874, Clause 8 of this Determination does not come into operation until the appeal, which has been lodged against it, has been dealt with by the Industrial Appeals Court.