



VICTORIA
GOVERNMENT GAZETTE.

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[1944

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 Warrambool; 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 as from the beginning of the first pay period to commence on or after the 16th November, 1944, 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 46 hours.		Wages per week of 46 hours.		Wages per week of 46 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.	s. d.	s. d.
15 years of age or under ..	24 9	15 years of age or under ..	22 3	15 years of age or under ..	23 0
16 years of age ..	31 6	16 years of age ..	24 9	16 years of age ..	26 3
17 " " ..	38 6	17 " " ..	30 9	17 " " ..	32 6
18 " " ..	48 3	18 " " ..	36 3	18 " " ..	38 6
19 " " ..	59 0	19 " " ..	42 3	19 " " ..	45 3
20 " " ..	70 6	20 " " ..	49 9	20 " " ..	52 6
PROPORTION (in any Shop or Place).					
One apprentice and one improver to every three or fraction of three workers receiving not less than the minimum wage.					
				(a) Manager or Departmental Manager ..	112 6
				(b) Manageress—	
				in any shop where employees' wages are subject solely to this Determination ..	66 9
				in any other shop ..	72 9
				(c) Departmental Manageress ..	72 9
				(d) Shop assistants—	
				(i) Males—	
				21 years of age ..	79 3
				22 years of age ..	90 0
				23 years of age or over ..	102 3
				(ii) Females—	
				In any shop wherein employees' wages are subject solely to this Determination ..	60 9
				In any other shop ..	66 3

DEFINITIONS.

3. "Manager" or "Manageress" means the principal employee in any shop except a shop in which an owner or partner is working manager or working manageress.

"Departmental Manager" or "Departmental Manageress" means the principal employee in a department of a shop wherein employees' wages are not subject solely to this Determination, and where two or more persons are employed in such department.

OVERTIME.

4. Any employee who in any week works for any time in excess of 46 hours shall be paid for such extra time at the rate of time and a half.

SPREAD OF HOURS.

5. The period between the time of commencing work and the time of finishing work on any day shall not exceed ten hours, except on one day per week, when the period concerned shall not exceed twelve hours.

TIME WAGES.

6. 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 23 hours, at the ordinary wages rate with an addition of thirty-three and one-third per centum, and for time worked beyond the 23 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

REFERENCES.

7. 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.

SPECIAL RATES.

8. 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.

SICK LEAVE.

9. (a) 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.

(b) Notwithstanding anything contained in 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 up to a period not exceeding 18 days, which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

ANNUAL HOLIDAYS.

10. Any employee who has been in the service of the same employer for a period of not less than twelve months shall be granted holidays on full pay for a period of twelve consecutive working days in each year (exclusive of the holidays specified in clause 8), and such holidays shall be given within three months of completion of each twelve months' service. Should an employee's services be terminated for any reason other than misconduct at any time after six months' service but before the expiration of any period of twelve months he shall be entitled to *pro rata* holidays on full pay; but should an employee be dismissed at any time for misconduct before the expiration of any period of twelve months of such employment, he shall not be entitled to any annual leave or any *pro rata* payment in lieu thereof. Fourteen days' notice shall be given by the employer to the employee before the latter commences his annual holidays aforesaid.

PAYMENT OF WAGES, ETC.

11. Payment of all wages, overtime, special rates, and allowances due shall be made during working hours not later than Thursday each week.

BICYCLE ALLOWANCE.

12. 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 6d. per day for each day or part thereof on which he or she is so required to use such bicycle in addition to any rate prescribed otherwise by this Determination.

CLOTHING ALLOWANCE.

13. 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.

TIME AND WAGES RECORD.

14. 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 Fruiterers and Greengrocers' Association, and the Victorian Master Pastrycooks' Association.

REST PERIODS.

15. All employees shall be allowed two rest intervals on each day as follows :—(a) The first of ten minutes to be allowed between the time of commencing work and the usual luncheon interval; (b) the second of ten minutes to be allowed between the usual luncheon interval and the time of ceasing work for the day. Such intervals are to be counted as part of time worked.

MEAL INTERVALS.

16. 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.

MEAL MONEY.

17. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 2s. 6d. as meal money in addition to the rate provided in clause 4.

TERMINATION OF EMPLOYMENT.

18. 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.

POSTING OF DETERMINATION.

19. A copy of this Determination shall be kept posted at or near the entrance to any shop or place to which it applies.

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

J. W. RYAN, Secretary.

Melbourne, 14th December, 1944.