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WEDNESDAY, OCTOBER 30.

[1946

Factories and Shops Acts.

DETERMINATION OF THE BREAD TRADE BOARD.

NOTES (i).—On 28th December, 1944, the application of this Determination was as follows:—

- (a) Clauses 1 to 16 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 17 to 29 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, 103 Russell-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 which may be paid to any person or persons or classes of persons employed in the trade of bread making or baking" has made the following Determination, namely:—

1. That on the 29th July, 1946, 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.— | | * Improvems. | | Other Employees. | | | | | | | | | |
|---------------------------|----------------------------|--|--|--|--|--|-----|----------------|--------------|---------------|---------------------------|----------------------------|---|
| * Apprentices. | | | | | | | | | | | | | |
| | | Per Week of 44 Hours. | | Per Hour. | | | | | | | | | |
| | | £ s. d. | | s. d. | | | | | | | | | |
| | | 1st six months .. | | Doughmakers .. | 3 2 | | | | | | | | |
| | | 2nd " .. | | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">Ordinary Days.</th> <th style="text-align: center;">Double Days.</th> <th style="text-align: center;">Trebble Days.</th> </tr> <tr> <td style="text-align: center;">Between 4 a.m. and 4 p.m.</td> <td style="text-align: center;">Between midnight and noon.</td> <td style="text-align: center;">Between 10 p.m. of previous day and noon.</td> </tr> </table> | | | Ordinary Days. | Double Days. | Trebble Days. | Between 4 a.m. and 4 p.m. | Between midnight and noon. | Between 10 p.m. of previous day and noon. |
| Ordinary Days. | Double Days. | Trebble Days. | | | | | | | | | | | |
| Between 4 a.m. and 4 p.m. | Between midnight and noon. | Between 10 p.m. of previous day and noon. | | | | | | | | | | | |
| | | 3rd " .. | | | | | | | | | | | |
| | | 4th " .. | | | | | | | | | | | |
| | | 5th " .. | | | | | | | | | | | |
| | | 6th " .. | | | | | | | | | | | |
| | | 7th " .. | | | | | | | | | | | |
| | | 8th " .. | | Foremen or single hands | | | | | | | | | |
| | | and thereafter the minimum wage. | | 3 4½ | | | | | | | | | |
| | | PROPORTION (within any factory or place). | | All others engaged in the making and/or baking of bread .. | | | | | | | | | |
| | | One improver to every eight workers receiving not less than 139s. 4d. per week of 44 hours. | | | | | 3 2 | | | | | | |
| | | 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.

LIMITATION OF HOURS OF EMPLOYMENT.

3. No employee shall be employed at bread making or baking, as defined in clause 10 hereof during the hours specified hereunder, viz. :—

- 4
- (a) (i) Between the hours of 4 p.m. on the day preceding an ordinary day and 4 a.m. on such ordinary day, and,
 - (ii) after 4 p.m. on such ordinary day.
 - (b) (i) between the hour of 4 p.m. and midnight on the day preceding a double day or between the hours of 4 p.m. and 10 p.m. on the day preceding a treble day, and,
 - (ii) after noon on such double or treble day.
 - (c) (without affecting the generality of the foregoing), between the hours of 12 noon on the Monday preceding the third Wednesday in January and 4 a.m. on the next succeeding Thursday.

HOURS OF WORK.

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

| | Apprentices. | Other Employees. |
|-----------------------|--------------|------------------|
| Ordinary days | 7 hours | 7 hours |
| Double days | 9 " | 10 " |
| Treble days | 9 " | 10 " |

OVERTIME.

5. (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 day 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.

WEEKLY HOURS.

6. That the number of hours to constitute an ordinary week's work shall be 44.

TIME RATE.

7. (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.

SPECIAL RATES FOR PUBLIC HOLIDAYS.

8. (a) That payment for all work done on New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, or Boxing Day, shall be at the rate of double time; but if by Act of Parliament or Proclamation, any other day be substituted for any of the abovenamed holidays, the special rate shall be payable only for work done on the day so substituted.

(b) When two or more holidays as provided for in clause 8 (a) occur in any one week, an employee shall be paid a full week's wages in addition to any penalty rates to which he may be entitled in such week; provided that any employee covered by this sub-clause who loses time during such week without the approval of his employer, shall be paid pro-rata for the work performed by him in such week.

UNION REPRESENTATIVE.

9. 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.

DEFINITIONS.

10. (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 day" shall mean a day 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 day.

(c) "Treble day" shall mean a day 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 days.

(d) The making of bread shall be deemed to mean each of the following acts :—

- (i) the dividing of bread dough;
- (ii) the weighing of bread dough;
- (iii) the kneading or moulding of bread dough;
- (iv) the placing of bread dough in boxes or tins or on trays.

(e) The baking of bread shall be deemed to mean :—

- (i) the setting of dough in the oven;
- (ii) the withdrawal of bread from the oven.

ANNUAL HOLIDAYS.

11. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act, 1946, No. 5111.*

SICK LEAVE.

12. (a) 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 six days in each year.

(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 up to a period not exceeding twelve days, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

For the purposes of this sub-clause, service prior to the 28th December, 1944, shall be disregarded.

REST PERIODS.

13. That on double and treble days, 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.

MEAL INTERVAL.

14. That a meal interval of not more than thirty minutes shall be allowed after the completion of not less than 2½ hours' work and not more than 5 hours' work.

CONTINUITY OF WORK.

15. The work of each employee (except a doughmaker) on each day or shift, shall be continuous with the customary break for a meal.

CLOTHING ALLOWANCE.

16. An employee who works for more than 22 hours in any week for the same employer shall be paid an allowance of three shillings per week towards the cost of laundering and/or maintenance of working clothes; provided an employee who works for less than 22 hours in any week shall be paid sixpence for each night he is employed, with a maximum of 3s. per week.

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

| 17 WAGES.— | | | | | | |
|---|-----------------------|--|------------------|----|--|---|
| Apprentices. | | Improvers. | Other Employees. | | | |
| | Per Week of 44 Hours. | | | | | |
| | s. d. | | £ | s. | d. | |
| 1st Year— | | 1st year | } 5 | 15 | 0 | Foremen or single hands .. 3s. 3d. per hour, or 143s. 0d. per week of 44 hours. |
| 1st six months .. | 27 5 | 2nd " | | | | |
| 2nd " | 28 0 | 3rd " | | | | |
| 2nd Year— | | 4th " | | | | |
| 1st six months .. | 30 0 | PROPORTION (within any factory or place). | | | Doughmakers | } 3s. 0½d. per hour, or 133s. 10d. per week of 44 hours. |
| 2nd " | 33 10 | | | | | |
| 3rd Year— | | One improver to every eight workers receiving not less than 133s. 10d. per week of 44 hours. | | | Persons not provided for elsewhere in this Determination | |
| 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. | | | | | | |

OVERTIME.

18. (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.

WEEKLY HOURS.

19. That the number of hours to constitute an ordinary week's work shall be 44.

TIME RATE.

20. 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.

UNION REPRESENTATIVE.

21. 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.

SUNDAY WORK.

22. 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.

SPECIAL RATES FOR PUBLIC HOLIDAYS.

23. (a) That double time shall be the rate payable for all work done on New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Monday, 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 abovenamed holidays, the special rate shall be payable only for work done on the day so substituted.

(b) When two or more holidays as provided for in clause 23 (a) occur in any one week, an employee shall be paid a full week's wages in addition to any penalty rates to which he may be entitled in such week; provided that any employee covered by this sub-clause who loses time during such week without the approval of his employer, shall be paid pro rata for the work performed by him in such week.

ANNUAL HOLIDAYS.

24. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act, 1946, No. 5111.*

SICK LEAVE.

25. (a) 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 six days in each year.

(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 up to a period not exceeding twelve days, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

For the purposes of this sub-clause service prior to the 28th December, 1944, shall be disregarded.

MEAL INTERVAL.

26. That a meal interval of not more than thirty minutes shall be allowed after the completion of not less than 2½ hours' work, and not more than 5 hours' work.

CONTINUITY OF WORK.

27. The work of each employee (except a doughmaker) on each day or shift, shall be continuous with the customary break for a meal.

CLOTHING ALLOWANCE.

28. An employee who works for more than 22 hours in any week for the same employer, shall be paid an allowance of three shillings per week towards the cost of laundering and /or maintenance of working clothes, provided an employee who works for less than 22 hours in any week shall be paid sixpence for each night he is employed, with a maximum of 3s. per week.

DEFINITION.

29. "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. RANGLES J.P., Chairman.

J. R. MACPHERSON, Acting Secretary.

Melbourne, 4th September, 1946.