



VICTORIA GOVERNMENT GAZETTE.

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[1951

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(Cake Ornament Section.)

NOTES.—(a) This Determination applies to the whole of the State of Victoria.

(b) On 18th July, 1938, 11th November, 1940, and 30th September, 1941, respectively, by Orders in Council, the following additional trades and branches of trades were specified to be trades or branches of trades, for the purposes of section (6) of the *Factories and Shops Act* 1936, that is to say:—

- Gold beating.
- Ornamenting cakes, where such work is not subject to the Determination of the Pastrycooks Board.
- Manufacturing or preparing—
 - Designs for paper patterns or for other paper articles whatsoever.
 - Paper crackers or bon-bons.
 - Lampshades of all types other than those made of silk, parchment, glass, metal, porcelain, earthenware, synthetic resin, casein, or other substance of a nature similar to synthetic resin or casein.
 - Abrasive articles (other than abrasive paper or cloth), including carborundum wheels, emery wheels, and sharpening stones.
 - Articles made of feathers, including dress ornaments and boas.
 - Vinegar and yeast.
 - Carbon dioxide or other industrial gases for trade or sale in gas, liquid, or solid form.

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 following trades and branches of trades, that is to say:—

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| <ul style="list-style-type: none"> Renovating carpets; Preparing feathers; Treating flax; Treating pyrites and other metalliferous ores; Mixing seed and making poultry foods; Glass badging; Gold stamping; Ivory working; Show-card and ticket-writing; Manufacturing or preparing— <ul style="list-style-type: none"> Abrasive paper or cloth; Asbestos articles; Blue prints; Buttons and buckles other than those subject to the Determination of the Plastic Moulding Board; Button badges; Carbon articles; | <ul style="list-style-type: none"> Chalk, crayons, or other articles from mineral earth; Cinematograph film; Composition flooring; Cutlery; Artificial flowers and bouquets; Paper articles not subject to any Board heretofore appointed; Honey; Ink or adhesives; Silk or parchment lampshades; Fishing and other nets; Ornaments for cakes; Plaster models; Sporting goods not provided for under any Board heretofore appointed; Surgical instruments; Toys; Watch cases" |
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has made, in respect of the manufacturing or preparing of ornaments for cakes, the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in December, 1950, the last previous Determination for this Section shall be revoked and replaced by this Determination.

2. WAGES PER WEEK OF 40 HOURS.

(a) IMPROVERS.						(b) ADULTS.							
Males.			Females.										
	Percentage of Basic Wage.	s. d.		Percentage of Female Basic Wage.	s. d.								
1st year's experience ..	22	35 6	1st six months' experience ..	23	28 0								
2nd " " " "	32	52 0	2nd " " " "	30	36 6								
3rd " " " "	42	68 0	3rd " " " "	34	41 6								
4th " " " "	57	92 6	4th " " " "	41	50 0								
5th " " " "	73	118 6	5th " " " "	45	54 6								
6th " " " "	84	136 0	6th " " " "	52	63 0								
7th " " " "	90	146 0	7th " " " "	57	69 6								
			8th " " " "	65	79 0								
and thereafter the rate prescribed for adults.						<table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td colspan="2" style="text-align: center;">s. d.</td> </tr> <tr> <td style="text-align: right;">Males</td> <td style="text-align: right;">185 0</td> </tr> <tr> <td style="text-align: right;">Females</td> <td style="text-align: right;">121 6</td> </tr> </table>		s. d.		Males	185 0	Females	121 6
s. d.													
Males	185 0												
Females	121 6												
<p>PROPORTION.</p> <p>Five male improvers to each male person receiving not less than the rate prescribed for adults. Five female improvers to each female person receiving not less than the rate prescribed for adults.</p>													

PROHIBITION OF EMPLOYMENT.

3. The Board determines that no person shall be employed as an apprentice.

WEEKLY HOURS.

4. That the number of hours to constitute an ordinary week's work shall be 40.

TIMES OF BEGINNING AND ENDING WORK.

5. That the times of beginning and ending work shall be :—

Time of Beginning (not earlier than).	Time of Ending (not later than).
7.30 a.m. 12 noon on Saturday.
7.30 a.m. 5.15 p.m. on the other working days of the week.

OVERTIME.

6. That all time worked—

(a) Outside the times of beginning and ending work prescribed in clause 5; or

(b) Within such prescribed times, but in excess of 40 hours in any one week— shall be paid for at the rate of time and a half for the first four hours' work, and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

(c) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

HOLIDAYS AND SUNDAY WORK.

7. That employees shall be entitled to the following public holidays without deduction of pay :—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

Work done on Sunday or on any of the above-mentioned holidays shall be paid for at the rate of double time.

TERMS OF EMPLOYMENT.

8. (a) That notice equivalent to 40 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 40 working hours' notice except in circumstances referred to above, the employer may pay 40 hours' wages; and vice versa the employee leaving his employment without notice shall forfeit 40 hours' wages, which may be deducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

ANNUAL HOLIDAY.

9. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, and any amendments which may be made thereto from time to time.

REST PERIOD FOR FEMALES

10. Females shall be allowed, each morning, an interval of ten minutes for rest, such interval to count as part of time worked.

SICK LEAVE.

11. (a) No deduction shall be made from the wages of any employee who has had not less than three months' continuous service with the same employer and who is unavoidably absent through illness for not more than forty hours of working time in any year of service, provided he or she has submitted within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that the same is not the result of his or her own misconduct.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed 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 one hundred and twenty hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause service prior to the 1st August, 1949, shall be disregarded.

MEAL PERIOD.

12. A meal period of not less than thirty minutes and not more than sixty minutes shall be allowed after a period of not more than five hours' continuous work. Such meal period shall not be calculated as time worked.

TEA MONEY.

13. Any employee who is required to work after 6 p.m. shall receive 2s. 6d. tea money.

BOILING WATER.

14. Employers shall provide boiling water for employees at meal times.

PERIODICAL ADJUSTMENT OF WAGES.

15. The wages rates for adult males set out in clause 2 (b) are based upon the following basic wage, and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934* the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 16.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Throughout the State	<p style="text-align: center;">£ s. d.</p> <p style="text-align: center;">8 2 0</p>	Melbourne

ADJUSTMENT OF BASIC WAGE.

16. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' 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.

(b) Until the beginning of the first pay period to commence in February, 1951, the amount of the basic wage shall be as prescribed in clause 15.

(c) 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, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor '103 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach '5 or more the basic wage shall be taken to the next higher shilling.

(d) The wages rate for adult females is based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rate by the amount of the difference from time to time in the said basic wage for females.

(e) The wages of improvers shall be the appropriate percentages as set out in clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. V. WILLOX, Secretary.

Melbourne, 13th December, 1950.

