

[1855]



VICTORIA GOVERNMENT GAZETTE.

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No. 278]

THURSDAY, MARCH 8.

[1951

Factories and Shops Acts.

DETERMINATION OF THE BREAD TRADE BOARD.

NOTES (i).—This Determination applies to the whole of the State of Victoria as follows:—

- (a) Clauses 1 to 16 inclusive apply to the Metropolitan District as defined in the Factories and Shops Acts, and the Orders in Council thereunder, and such portion of the Shires of Doncaster and Templestowe (other than the township of Warrandyte) as is not included within the said District; the cities of Ballarat, Bendigo, Chelsea, Geelong, Geelong West, Mildura, Mordialloc, and Warrnambool; the town of Newtown and Chilwell; the boroughs of Eaglehawk and Sebastopol; the township of Merbein; the township of Kangaroo Flat in the Shires of Marong and of Strathfieldsaye; the township of Spring Gully, in the Shire of Strathfieldsaye; such portion of the Shire of Broadmeadows as is south of Somerton-road; the Shire of Dandenong; the Doutta Galla Riding of the Shire of Keilor, and such portion of the Maribyrnong Riding of the said Shire as is within 3 miles of the St. Albans Post Office; the Shire of Mulgrave; such portions of the Shire of South Barwon and of the Moorparanyal Riding of the Shire of Corio as are within a radius of 5 miles of the Geelong Post Office; and portions of the Shire of Werribee as are within a radius of 3 miles of the Altona Post Office and such portions of the Shire of Mildura as are within a radius of 1 mile of the Red Cliffs Post Office and the Irymple Post Office respectively.
- (b) Clause 1 and clauses 17 to 29 inclusive apply 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 as from the beginning of the first pay period to commence in February, 1951, 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 40 Hours. s. d.		Per Week of 40 Hours. £ s. d.	Doughmakers ..	Per Hour.				
					s. d.				
					5 10½				
1st Year—		1st six months ..	..	} 10 8 10				
1st six months ..	58 7	2nd "	..						
2nd "	64 6	3rd "	..						
2nd Year—		4th "	..						
1st six months ..	70 4	5th "	..						
2nd "	76 3	6th "	..						
3rd Year—		7th "	..						
1st six months ..	88 0	8th "	..						
2nd "	99 8				Per Hour.				
4th Year—		and thereafter the minimum wage.			s. d.				
1st six months ..	117 3			Foremen or single hands ..	6 0½				
2nd "	134 10								
5th Year—		PROPORTION (within any factory or place).							
1st six months ..	158 4	One improver to every eight workers receiving not less than 231s. 8d. per week of 40 hours.		All others engaged in the making and/or baking of bread ..	5 9½				
2nd "	181 7								
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 231s. 8d. per week of 40 hours.									

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

NOTE:—The rates shown in clause 2 herein include 1½d. per hour for "foremen or single hands" and "all others engaged in the making and/or baking of bread" required to work the hours and times prescribed in clause 16. Pro-rata of this amount has been included in the rates of apprentices and improvers.

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HOURS OF WORK. (See Clause 16. Limitation of Hours of Employment.)

3. 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.

4. (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 3, or alternatively

(ii) during any week for any time in excess of 40 hours,

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

(b) Any apprentice who works for any time in excess of seven hours on an ordinary night or nine hours on any other night shall be paid by the employer for such extra time at the rate of time and a half, calculated on the same rate of pay as the employer may for the time being be obliged to pay to journeymen employed by him in the same trade. Provided, however, that any apprentice during the last year of his apprenticeship may be required to work up to ten hours on a night other than an ordinary night at ordinary rate of pay.

WEEKLY HOURS.

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

TIME RATE.

6. (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 20 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 20 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 20 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, train, 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 Orders in Council thereunder.

SPECIAL RATES FOR PUBLIC HOLIDAYS.

7. (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 sub-clause (a) hereof 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.

8. 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.

9. (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 substantially during 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 HOLIDAY.

10. 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.

SICK LEAVE.

11. (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.

12. 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.

13. 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.

14. 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.

15. An employee who works for more than 20 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 20 hours in any week shall be paid sixpence for each night he is employed, with a maximum of 3s. per week.

LIMITATION OF HOURS OF EMPLOYMENT.

16. No person shall be employed at bread making or baking, as defined in clause 9 hereof, outside the hours specified hereunder, viz. :—

Type of Week.	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
1. Ordinary week, i.e., a week in which no public holiday occurs during that week or on the following Monday	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	..
2. The week previous to a week in which Monday is a public holiday	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	4 a.m. to 4 p.m., 10 p.m. to Midnight	Midnight Friday to noon Saturday
3. Week in which Monday is a public holiday	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	..
4. Week in which Tuesday is a single public holiday	..	Midnight Sunday to noon Monday	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	..
5. Week in which Wednesday is a single public holiday	..	4 a.m. to 4 p.m.	Midnight Monday to noon Tuesday	..	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
6. Week in which Thursday is a single public holiday	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	Midnight Tuesday to noon Wednesday	..	Midnight Thursday to 2 p.m. Friday	..
7. Week in which Friday is a single public holiday and is not followed by a Monday public holiday	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Wednesday to noon Thursday	..	Midnight Friday to noon Saturday
8. Week in which Good Friday occurs	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Wednesday to noon Thursday	10 p.m. to midnight	Midnight Friday to noon Saturday
9. Week which follows Easter week-end	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	..
10. Week in which Saturday is a public holiday	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	..
11. The week previous to a week in which Monday and Tuesday are public holidays	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	4 a.m. to 4 p.m., 10 p.m. to midnight	Midnight Friday to noon Saturday
12. Week in which Monday and Tuesday are public holidays	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	Midnight Thursday to 2 p.m. Friday	..
13. Week in which Tuesday and Wednesday are public holidays	10 p.m. to midnight	Midnight Sunday to noon Monday	..	..	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
14. Week in which Wednesday and Thursday are public holidays	..	4 a.m. to 4 p.m., 10 p.m. to midnight	Midnight Monday to noon Tuesday	..	..	Midnight Thursday to 2 p.m. Friday	..
15. Week in which Thursday and Friday are public holidays	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m., 10 p.m. to midnight	Midnight Tuesday to noon Wednesday	..	..	Midnight Friday to noon Saturday
16. Week in which Friday and Saturday are public holidays	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m., 10 p.m. to midnight	Midnight Wednesday to noon Thursday	..	..
17. Week in which Saturday and the Monday in the following week are public holidays	..	4 a.m. to 4 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m.	5 a.m. to 5 p.m., 10 p.m. to Midnight	Midnight Thursday to noon Friday	..

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

Apprentices.		Improvers.		Other Employees.	
	Per Week of 40 Hours.		Per Week of 40 Hours.		
	s. d.		£ s. d.		
1st Year—		1st year ..	..	Foremen or single hands ..	5s. 9½d. per hour, or 230s. 10d. per week of 40 hours.
1st six months ..	51 4	2nd „ ..	9 19 1		
2nd „ ..	52 10	3rd „ ..	..	Makers or bakers of rye bread, Vienna bread, or rolls	
2nd Year—		4th „ ..	..	Doughmakers ..	5s. 6½d. per hour, or 221s. 8d. per week of 40 hours
1st six months ..	55 8	PROPORTION (within any factory or place). One improver to every eight workers receiving not less than 221s. 8d. per week of 40 hours.		Persons not provided for else- where in this Determination	
2nd „ ..	63 5				
3rd Year—					
1st six months ..	72 2				
2nd „ ..	84 10				
4th Year—					
1st six months ..	99 6				
2nd „ ..	115 11				
5th Year—					
1st six months ..	136 10				
2nd „ ..	159 10				
and thereafter the minimum wage.					
PROPORTION. One apprentice to every three or fraction of three workers re- ceiving not less than 221s. 8d. per week of 40 hours.					

OVERTIME.

18. (a) That any employee (other than an apprentice) who works in any week for any time in excess of 40 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 40 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 40.

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 20 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 20 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 sub-clause (a) hereof 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 HOLIDAY.

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

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.

LIMITATION OF HOURS.

26. No bread of any kind shall be made or baked for trade or sale, whether in the form of loaves, rolls or any other form in any area to which Parts 2 and 3 of the Determination of the Bread Carters Board apply between the hour of twelve noon on the day immediately preceding any holiday prescribed by the said Determination in the said areas and the hour of six o'clock in the evening on such holiday.

MEAL INTERVAL.

27. 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.

28. 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.

29. An employee who works for more than 20 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 20 hours in any week shall be paid sixpence for each night he is employed, with a maximum of 3s. per week.

DEFINITION.

30. "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 substantially during the whole of the working hours.

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

J. V. WILLOX, Secretary.

Melbourne, 31st January, 1951.

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