



VICTORIA GOVERNMENT GAZETTE.

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[1952

Factories and Shops Acts.

DETERMINATION OF THE PASTRYCOOKS BOARD.

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

(b) Pastrycooking was proclaimed on 19th October, 1938, as an apprenticeship trade under the Apprenticeship Acts 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 process, trade, or business of a pastrycook," has made the following Determination, namely:—

1. That on the 12th November, 1951, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. APPRENTICES OR IMPROVERS—MALE OR FEMALE. (EXCEPT THOSE COVERED BY THE APPRENTICESHIP ACTS.)

Wages Per Week of 40 Hours.

Experience.	Commencing Age.				Overtime— For overtime rates for Apprentices and Improvers, see clause 7.
	Under 17 Years.		17 Years and Over.		
	Percentage of Basic Wage.	Total Weekly Rate.	Percentage of Basic Wage.	Total Weekly Wage.	
		s. d.		s. d.	
First Year	25	49 6	35	69 6	
Second Year	35	69 6	47	93 6	
Third Year	47	93 6	66	131 6	
Fourth Year	66	131 6	90	179 0	
Fifth Year	90	179 0	

NOTE:—The Apprenticeship Commission has provided that after 19th October, 1938, no new improver shall be employed in the Metropolitan District except with the consent of the Commission.

PROPORTIONATE NUMBER.

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
An indenture of apprenticeship has been prescribed by the Board.

Improvers.

One improver to the first three workers receiving not less than 249s. per week of 40 hours, and thereafter one improver to every six additional such workers.

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JUVENILE WORKERS.
Wages Per Week of 40 Hours.

Persons under 21 years of age (other than apprentices or improvers) employed as follows:—

	Persons Engaged in General Work for the Whole of their Working Time.				Females Engaged Decorating Christmas and New Year Cakes.	
	Males.		Females.		Percentage of Female Basic Wage.	Weekly Wage.
	Percentage of Basic Wage.	Weekly Wage.	Percentage of Female Basic Wage.	Weekly Wage.		
		<i>s. d.</i>		<i>s. d.</i>		<i>s. d.</i>
14 years of age	26	51 6
15 years of age	30	59 6	33	49 0	40	59 6
16 years of age	34	67 6	35	52 0	45	67 0
17 years of age	40	79 6	45	67 0	53	79 0
18 years of age	45	89 6	49	73 0	61	91 0
19 years of age	50	99 6	54	80 6	69	103 0
20 years of age	59	117 6	58	86 6	76	113 0

OTHER EMPLOYEES.
Wages Per Week of 40 Hours.

	Weekly Wage.
	<i>s. d.</i>
Fore-hand, i.e., a person who has charge of a bakehouse or bakehouses in adjacent buildings and employees therein	262 0
Single-hand, i.e., a person who has charge of a bakehouse or workroom with no pastrycook, ornamenteer, or ornamental worker under his or her charge	237 0
Pastrycooks, ovenmen, ornamenters, ornamental workers, crumpet or muffin bakers	249 0
All other males	213 0
Females engaged in general work	149 0

Jobbers, i.e., pastrycooks engaged for not more than half the number of hours fixed for a week's work shall be paid an hourly rate ascertained by increasing the weekly rate prescribed for a pastrycook by $12\frac{1}{2}$ per cent., and dividing the result by 40.

WEEKLY HOURS.

3. The number of hours to constitute a week's work shall be forty (40).

TERMS OF EMPLOYMENT.

4. Employees, other than jobbers, who work less than 40 hours in any week may be paid the ordinary wages rate calculated *pro rata* according to the number of hours worked.

GENERAL WORK.

5. That wherever occurring in this Determination, the expression "General Work" shall only include —

Bringing fuel to oven.	Creaming and filling,
Bringing in raw material.	Emptying tins or trays.
Buttering tins.	Labelling tins or boxes.
Carrying goods to and from the oven.	Packing wedding cakes, other cakes, or pastry.
Cleaning bakehouse yard or premises.	Papering hoops.
Cleaning fruit and outting peel.	Turning hand machines.
Cleaning pans, tins, tools, or other utensils.	Washing of machines.
Cracking eggs.	Wrapping cakes.

TIME OF BEGINNING AND ENDING WORK.

6. On Monday to Saturday (inclusive)
- | | |
|--------------------|-----------------|
| Time of Beginning. | Time of Ending. |
| 6 a.m. | 7 p.m. |

OVERTIME.

7. (a) All time worked in excess of 40 hours per week. Time and a half for the first 6 hours and double time thereafter. In computing such overtime all work shall be taken into account whether performed by day or by night or both combined.
- (b) All time worked between the hours of 7 p.m. and 12 midnight on Monday, Tuesday, and Wednesday, between the hours of 7 p.m. and 10 p.m. on Thursday, and between the hour of 7 p.m. and 8 p.m. on Friday } Double time.
- (c) *Night work.*—All time worked on:—
- | | |
|---|--|
| (i) Sunday between 12 midnight and 6 a.m. Monday; | Adult employees—Ordinary rate plus 25 per cent.
Apprentices, Improvers, Juvenile workers—Ordinary rate plus 25 per cent. or 1½d. per hour, whichever is the higher. |
| (ii) Monday, Tuesday, Wednesday between the hours of 12 midnight and 6 a.m. on the following day; | |
| (iii) Thursday, between the hours of 10 p.m. and 6 a.m. the following day; | |
| (iv) Friday, between the hours of 8 p.m. and 6 a.m. the following day | |

All employees who commence work at or before 1 a.m. shall receive night work rates for time worked after 6 a.m. until completion of shift.

- (d) Employees (other than jobbers) whose services are not required on any holiday mentioned in clauses 12 and 13 shall not be required to make up time lost through such holiday which shall be deemed to be of 7 hours, and employees required to work:—

- | | |
|---|---|
| (a) In excess of 33 hours in any week in which one holiday occurs | } shall be paid for such excess at the rate of time and a half. |
| (b) In excess of 26 hours in any week in which two holidays occur | |

LIMITATION OF NIGHT WORK.

8. Subject to the provisions of clause 17 no employee shall be required to work at night for more than ten hours in a spread of eleven hours.

SHIFTS.

9. There shall be a ten (10) hour interval between shifts.

TERMINATION OF EMPLOYMENT.

10. Employees who have worked for 28 days or longer shall except in a case of misconduct by either employer or employee give or receive one week's notice of termination of employment, or one week's wages shall be forfeited or paid in lieu thereof.

SPECIAL RATE FOR PUBLIC HOLIDAYS.

11. That double time shall be the special rate for all work (except making fermented doughs) done on New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, 13th November, 1951, 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 abovementioned holidays, the special rate shall only be payable for work done on the day so substituted.

PUBLIC HOLIDAYS.

12. All employees (except jobbers) shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, 13th November, 1951, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; or any other day substituted for the above days by Acts of Parliament or Proclamation:

Provided that where an employee is absent from his or her employment on the working day before or after a holiday without reasonable cause or without the employer's consent, the employee shall not be entitled to payment for such holiday.

UNION PICNIC DAY.

13. All employees (except jobbers) employed within the Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council made thereunder; the Cities of Geelong, Geelong West, Newtown and Chilwell, Ballarat, and Bendigo; and the Boroughs of Sebastopol and Eaglehawk shall be granted a holiday on Union Picnic Day (i.e. the third Monday in February in each year) without deduction of pay.

SUNDAY WORK.

14. No person shall be employed on Sunday before 12 midnight with the following exceptions:—

- (a) Making fermented doughs, for which double time shall be paid;
- (b) One man per factory may be employed in the preparation of pie meat between the hours of 1 p.m. and 5 p.m. at double rates of pay, with a minimum payment of 10s. for this work.

TIME BOOK.

15. The correct times of beginning and ending work shall be recorded daily in a proper book or time card, or by mechanical means, to be furnished by the employer, such record shall be initiated by the employee at least once a week, and shall be open for inspection by the permanent Secretary-Treasurer of the Victorian Branch of the Pastrycooks Union of Australia and the Inspector of Factories.

AUTHORIZED PERSON MAY ENTER FACTORY.

16. The permanent Secretary-Treasurer of the Pastrycooks Union of Australia, Victorian Branch, shall have power to enter and inspect during working hours any part of a pastrycook's factory or workshop in which any work is being carried on. The Secretary-Treasurer of the Pastrycooks Union shall have the right to interview employees in regard to conditions of employment at the employer's convenience.

MEAL TIME.

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

REST PERIODS.

18. A rest period of ten minutes in the forenoon and ten minutes in the afternoon shall be given all female workers without any deduction from wages.

FEMALE EMPLOYEES.

19. No female of any age shall be employed prior to 6 a.m.

LAUNDERING ALLOWANCE.

20. Any employee required to wear overalls shall receive a laundering allowance of three shillings per week.

ANNUAL HOLIDAYS.

21. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* (No. 5111), and any amendments which may be made thereto from time to time.

SICK LEAVE.

22. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) During the first year—3½ hours' ordinary pay for each complete month of service;
- (ii) During any subsequent year of service—40 hours' ordinary pay.

Provided that in either case 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.

(b) 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.

For the purposes of this sub-clause service prior to the 1st August, 1949, shall be disregarded, providing that any accumulated sick leave (not exceeding 80 hours of working time) standing to the credit of the employee on the 1st August, 1951, shall not be reduced by virtue of the provisions of this sub-clause.

DETERMINATION TO BE EXHIBITED.

23. A copy of this Determination shall be posted or hung up in a place where it is easily accessible to the employees.

DEFINITION.

24. "Ovenman" shall mean an employee responsible for the baking of all kinds of cakes and pastry.

PERIODICAL ADJUSTMENT OF WAGES.

25. The wages rates set out in clause 2 are based upon the following basic wage, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act* 1934, this Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 26.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	<i>£ s. d.</i>	
Throughout the State	9 19 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

26. (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, 1952, the amount of the Basic Wage shall be as prescribed in clause 25.

(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 rate for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(e) The wages of "Apprentices or Improvers" and "Juvenile Workers" 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, 27th November, 1951.