VICTORIA

GOVERNMENT GAZETTE.

Published by Authority.

[*Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.*]

No. 136] MONDAY, MARCH 18. [1957

Labour and Industry Acts.

AMENDING DETERMINATION OF THE FACTORY ENGINE DRIVERS BOARD.

IN accordance with the provisions of the Labour and Industry Acts the Factory Engine Drivers Board has made the following amending Determination, namely :—

1. That, as from the beginning of the first pay period to commence on or after the 22nd February, 1957, the Determination made on the 22nd November, 1955, and published in *Government Gazette* No. 70 on the 13th January, 1956, shall be amended as hereinafter prescribed.

2. By deleting from Clause 7 (*a*), and Clause 13 (*c*), Clause 13 (*f*), and Clause 13 (*g*) wheresoever appearing the expression " in connexion with the operations for which is used the power or steam supplied with the aid of such employee ".

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 6th February, 1957.

By Authority: W. M. HOUSTON, Government Printer, Melbourne.

No. 136.—1875/57.—PRICE 6D.

DETERMINATION OF THE PASTRYCOOKS BOARD.

NOTE.

Notice of appeal to the Industrial Appeals Court has been lodged against clause 12 of the Determination.

Section 45 (*b*) Act 5771, provides that, when an appeal is made in accordance with that Act, the part of the Determination appealed against shall not come into operation until the appeal has been dealt with by the Court.

2209/57.

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 the minimum wage prescribed for a pastrycook, and thereafter one improver to every six additional such workers.

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 Basic Wage.	Weekly Wage.	Percentage of Female Basic Wage.	Weekly Wage.	Percentage of Female Pastrycook's Wage.	Weekly Wage.
		s. d.		s. d.		s. d.
14 years of age	26	68 6	..	..	..	..
15 years of age	30	79 0	33	65 0	40	99 6
16 years of age	34	89 6	35	69 0	45	112 0
17 years of age	40	105 0	45	88 6	53	132 0
18 years of age	45	118 6	49	96 6	61	152 0
19 years of age	50	131 6	54	106 6	69	172 0
20 years of age	59	155 0	58	114 6	76	189 0

OTHER EMPLOYEES.

Wages Per Week of 40 Hours.

—	Weekly Wage.
	s d.
Fore-hand, i.e., a person who has charge of a bakehouse or bakehouses in adjacent buildings and employees therein	352 0
Single-hand, i.e., a person who has charge of a bakehouse or workroom with no pastrycook, under his or her charge	342 0
Pastrycooks, male	332 0
Pastrycooks, female	249 0
Males engaged in general work	281 0
Females engaged in general work	207 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 12½ per cent., and dividing the result by 40: Provided that when a jobber is required to work beyond 20 hours in any one week he shall be paid at ordinary rates for all time worked in excess of the aforesaid 20 hours.

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; provided that employees (other than jobbers) shall be employed for a minimum of 4 hours on any one day (except a Sunday as provided for in clause 14).

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 any part of the premises.	Packing wedding cakes, other cakes, or pastry.
Cleaning bakehouse yard or premises.	Papering hoops.
Cleaning fruit and cutting peel.	Turning hand machines.
Cleaning pans, tins, tools, or other utensils.	Washing of machines.
Cracking eggs.	Wrapping cakes.

TIME OF BEGINNING AND ENDING WORK.

	Time of Beginning	Time of Ending.
6. (*a*) On Monday to Friday (inclusive)	6 a.m. ..	5 p.m.
On Saturday	6 a.m. ..	12 noon

(*b*) All time worked on those days outside the hours fixed for beginning and ending work or within the hours in excess of 9½ hours shall be subject to a penalty of 25 per cent.

(*c*) All employees who commence work at or before 1 a.m. shall receive the penalty rate of 25 per cent. for all time worked until completion of shift.

OVERTIME.

7. (a) All time worked in excess of 40 hours per week. Time and a half for the first six hours and double time thereafter.

(b) 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, and employees required to work :—

(i) In excess of 33 hours in any week in which one holiday occurs or

(ii) In excess of 26 hours in any week in which two holidays occur :—

shall be paid for such excess at the rate of time and a half, with the provision that double time shall be paid for all work performed in such weeks in excess of 40 hours.

It is further provided that sub-clause (b) shall apply only to employees who are employed regularly on the day or days mentioned in clauses 12 and 13.

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 four consecutive weeks 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. (a) That double time shall be the special rate for all work done on New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen'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 above-mentioned holidays, the special rate shall only be payable for work done on the days so substituted.

(b) All employees required to work on a holiday prescribed in sub-clause (a) hereof shall receive a minimum of seven hours' pay at penalty rates.

PUBLIC HOLIDAYS.

12. All employees (except jobbers) whose services are not required shall be granted the following holidays without deduction of pay :—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen'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 a radius of 40 miles from the G.P.O., Melbourne, 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 second 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 20s. 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 initialed by the employee at least once a week, and shall be open for inspection by the Secretary of the Victorian Branch of the Pastrycooks Union of Australia.

AUTHORIZED PERSON MAY ENTER FACTORY.

16. The Secretary of the Pastrycooks Union of Australia, Victorian Branch and a representative of the Victorian Master Pastrycooks Association 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 of the Pastrycooks Union shall have the right to interview employees in regard to conditions of employment at a time convenient to the employer.

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 under 21 years shall be employed between the hours of 6 o'clock in the evening and 7 o'clock in the morning.

LAUNDERING ALLOWANCE.

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

ANNUAL HOLIDAYS.

21. The annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts.

SICK LEAVE.

22. (a) An 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, provided an employee remains in the service of the one employer or any successor of such employer, 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. "Ovenhand" shall mean an employee responsible for the baking of all kinds of cakes and pastry.

"Pastrycook" shall also include ovenhands, ornamenters, ornamental workers, mixers and bakers of all types of hot plate goods.

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 18th February, 1957

By Authority: W. M. HOUSTON, Government Printer, Melbourne.