



# VICTORIA GOVERNMENT GAZETTE.

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No. 15]

TUESDAY, JANUARY 30.

[1945

Factories and Shops Acts.

## DETERMINATION OF THE PASTRYCOOKS BOARD.

This Determination applies to the following parts of Victoria, namely:—

- (a) The Metropolitan District and the Geelong District as defined in the *Factories and Shops Act 1928* (No. 3677), such portions of the City of Sandringham as are not within the said Metropolitan District, the Cities of Ballarat, Bendigo, Chelsea, Mildura, and Warrnambool; the Towns of Ararat, Hamilton, Horsham, and Sale; the Boroughs of Castlemaine, Clunes, Colac, Eaglehawk, Echuca, Maryborough, Sebastopol, Portland, Queenscliffe, Shepparton, Stawell, Wangaratta, and Wonthaggi; and such portion of the area vested in or under the control of the State Electricity Commission as is within a radius of three miles of the Yallourn Post Office; and
- (b) the shires or portions of the shires (if any) set forth below in the column opposite the name of the shire:—

Name of Shire.	Shire or Portion of the Shire to which Determination is to be Applicable.
Bacchus Marsh .. .. .	The Township of Bacchus Marsh
Bairnsdale .. .. .	Such portion as is within a radius of 2 miles of the Bairnsdale Post Office
Beechworth .. .. .	The Township of Beechworth
Benalla .. .. .	The Central Riding
Charlton .. .. .	The Township of Charlton
Colac .. .. .	Such portion as is within a radius of 2 miles of the Colac Post Office
Dandenong .. .. .	Such portion as is within a radius of 1½ mile of the Dandenong Post Office
Dimboola .. .. .	The Township of Dimboola and the Township of Jeparit
Ferntree Gully .. .. .	Such portion as is within a radius of 1 mile of the Belgrave Post Office
Flinders .. .. .	Such portion as is within a radius of 2½ miles of the Dromana Show Grounds
Frankston and Hastings .. .. .	The Township of Frankston
Glenside .. .. .	Such portion as is within a radius of 2 miles of the Casterton Post Office
Hampden .. .. .	The Township of Terang; also such portion of Shire as is within a radius of 2 miles of the Camperdown Post Office
Kilmore .. .. .	Such portion as is within a radius of 1 mile of the Kilmore Post Office
Korumburra .. .. .	Such portion as is within a radius of 1 mile of the Korumburra Post Office
Kyneton .. .. .	The Township of Kyneton
Lowan .. .. .	The Township of Nhill
Maffra .. .. .	The Township of Maffra
Mildura .. .. .	The Township of Merbein; also such portion of the Shire as is within a radius of 1 mile of the Redcliffs Post Office
Morwell .. .. .	The Township of Morwell
Narracan .. .. .	The Township of Moe
Seymour .. .. .	The Township of Seymour
Swan Hill .. .. .	The Township of Swan Hill
Warracknabeal .. .. .	The Township of Warracknabeal
Warragul .. .. .	Such portion as is within a radius of 2 miles of the Warragul Post Office
Werribee .. .. .	Such portion as is within a radius of 3 miles of the Werribee Post Office
Woorayl .. .. .	The Township of Leongatha

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, Treasury Gardens, Melbourne. (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest price 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 21st December, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

No. 15.—13368/44.

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

Wages Per Week of 44 Hours.

Experience.	Commencing Age.						Overtime— For overtime rates for Apprentices and Improvers, see Clause 7.
	Under 17 Years.			17 Years and Over.			
	Adjustable Weekly Rate.	Non-adjustable *War Loading.	Total Weekly Rate.	Adjustable Weekly Rate.	Non-adjustable *War Loading.	Total Weekly Wage.	
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	
First Year ..	20 0	1 3	21 3	27 9	1 9	29 6	
Second Year ..	27 9	1 9	29 6	37 0	2 3	39 3	
Third Year ..	37 0	2 3	39 3	53 9	3 3	57 0	
Fourth Year ..	53 9	3 3	57 0	73 9	4 6	78 3	
Fifth Year ..	73 9	4 6	78 3	..	..	..	

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 122s. per week of 44 hours, and thereafter one improver to every six additional such workers.

JUVENILE WORKERS.

Wages Per Week of 44 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.			Adjustable Weekly Wage.	Non-adjustable *War Loading.	Total Weekly Wage.
	Adjustable Weekly Rate.	Non-adjustable *War Loading.	Total Weekly Wage.	Adjustable Weekly Wage.	Non-adjustable *War Loading.	Total Weekly Wage.			
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	
14 years of age ..	23 6	1 6	25 0	..	..	..	..	..	
15 " " ..	26 3	1 6	27 9	21 9	1 6	23 3	26 3	1 9	28 0
16 " " ..	30 6	2 0	32 6	24 0	1 6	25 6	30 6	2 0	32 6
17 " " ..	35 3	2 3	37 6	30 6	2 0	32 6	35 3	2 3	37 6
18 " " ..	40 0	2 6	42 6	32 9	2 3	35 0	40 9	2 9	43 6
19 " " ..	44 6	2 9	47 3	36 0	2 6	38 6	46 3	3 0	49 3
20 " " ..	53 0	3 3	56 3	38 9	2 6	41 3	51 0	3 6	54 6

OTHER EMPLOYEES.

Wages Per Week of 44 Hours.

	Adjustable Weekly Rate.	Non-adjustable *War Loading.	Total Weekly Wage.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Fore-hand, i.e., a person who has charge of a bakehouse or bakehouses in adjacent buildings employees therein ..	129 0	6 0	135 0
Single-hand, i.e., a person who has charge of a bakehouse or workroom with no pastrycook, ornamentor, or ornamental worker under his or her charge ..	124 0	6 0	130 0
Pastrycooks, ovenmen, ornamenters, ornamental workers, crumpet or muffin bakers ..	116 0	6 0	122 0
All other males ..	98 0	6 0	104 0
Females engaged in general work ..	60 0	4 0	64 0

	Ordinary Wage Per hour.	*War Loading Per hour.	Total Wage Per hour.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Jobbers, i.e., casual workers engaged for not more than half the number of hours fixed for a week's work ..	3 2	0 2	3 4

\* The War Loading shall not be taken into account in the calculation of overtime and other penalty rates.

WEEKLY HOURS.

3. The number of hours to constitute a week's work shall be forty-four (44).

TERMS OF EMPLOYMENT.

4. Employees, other than casual employees, who work less than 44 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 cutting peel.               | Turning hand machines.                         |
| Cleaning pans, tins, tools, or other utensils. | Washing of machines.                           |
| Cracking eggs.                                 | Wrapping cakes or flour.                       |

TIME OF BEGINNING AND ENDING WORK.

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

OVERTIME.

7. (a) All time worked in excess of 44 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;
- (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

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.

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.

LIMITATION OF NIGHT WORK.

8. Subject to the provisions of Clause 16 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 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, King's Birthday, 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 casual employees) shall be entitled to the following public holidays without loss of pay —New Year's Day, Union Picnic Day, Good Friday, Christmas Day, and Boxing Day.

SUNDAY WORK.

13. 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.

14. 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 permanent Secretary-Treasurer of the Victorian Branch of the Pastrycooks Union of Australia and the Inspector of Factories.

AUTHORIZED PERSON MAY ENTER FACTORY.

15. 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.

16. 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.

17. 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.

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

LAUNDERING ALLOWANCE.

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

ANNUAL LEAVE.

20. (a) All persons subject to this Determination (except casual employees) shall receive seven working days' leave of absence (exclusive of the holidays mentioned in Clause 12) on full pay for each twelve calendar months' service, such leave to commence on the day observed as Christmas Day.

(b) Employees entitled to such leave and required to work during above-mentioned period shall be given seven working days' leave on full pay at some other time of the year. Employees dismissed or leaving employer's service before such leave is granted shall be paid seven days' wages in lieu of same.

(c) Employees dismissed or leaving employer's service after completion of six months' employment shall be entitled to a *pro rata* leave or payment in lieu thereof.

SICK LEAVE.

21. (a) Any employee not attending for duty, who has had not less than twelve months' service with the same employer shall not lose his or her 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 or her 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 four 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 8 days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

DETERMINATION TO BE EXHIBITED.

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

DEFINITION.

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

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates set out in clause 2 are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, this Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time, as such basic wage. Provided that the wages of females, apprentices, improvers and juveniles shall be adjusted proportionately to adjustments of the basic wage. Such adjustments in the case of females, apprentices, improvers and juveniles shall be computed to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause 25:—

Basic Wage.

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies ..	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 4 18 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

25. For work done before the beginning of the first pay period to commence in February, 1945, the amount of the basic wage shall be as prescribed in clause 24.

For work done 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 according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's 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:—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
994-1006 .. .. .	4 1 0	1118-1129 .. .. .	4 11 0
1007-1018 .. .. .	4 2 0	1130-1141 .. .. .	4 12 0
1019-1030 .. .. .	4 3 0	1142-1154 .. .. .	4 13 0
1031-1043 .. .. .	4 4 0	1155-1166 .. .. .	4 14 0
1044-1055 .. .. .	4 5 0	1167-1179 .. .. .	4 15 0
1056-1067 .. .. .	4 6 0	1180-1191 .. .. .	4 16 0
1068-1080 .. .. .	4 7 0	1192-1203 .. .. .	4 17 0
1081-1092 .. .. .	4 8 0	1204-1216 .. .. .	4 18 0
1093-1104 .. .. .	4 9 0	1217-1228 .. .. .	4 19 0
1105-1117 .. .. .	4 10 0	1229-1240 .. .. .	5 0 0

Any extension of this table must be of the same construction as the table.

P. A. RANGLES, J.P., Chairman.  
J. V. WILLOX, Secretary.

Melbourne, 23rd January, 1945.