



VICTORIA GOVERNMENT GAZETTE.

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[1945

Factories and Shops Acts.

DETERMINATION OF THE BREAD CARTERS BOARD.

NOTES.—(1) 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 Acts; such portions of the City of Sandringham as are not within the said Metropolitan District; the Cities of Ballarat, Bendigo, Chelsea, Mildura, Mordialloc, and Warnambool; the town of Hamilton; the boroughs of Colac, Eaglehawk, Echuca, Sebastopol, and Wonthaggi; the Township of Kangaroo Flat in the Shires of Marong and Strathfieldsaye;

(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 within which Determination shall be Operative.
Ballarat	Such portions as are within a radius of 3 miles of the Ballarat Post Office
Bungaree	
Buninyong	
Grenville	
Colac	Such portions as are within a radius of 2 miles of the Colac Post Office
Dandenong	
Frankston and Hastings ..	The whole of the Shire
Hampden	The Seaford Riding and the Township of Frankston
Huntly	Such portions as are within a radius of 2 miles of the Camperdown Post Office
Mildura	Such portions as are within a radius of 10 miles of the Bendigo Post Office
Mulgrave	The Township of Merbein and such portions of the Shire as are within a radius of 1 mile of the Red Cliffs Post Office and the Irymple Post Office respectively
South Barwon	The whole of the Shire
Werribee	Such portions as are not within the said Geelong District, but are within a radius of 5 miles of the Geelong Post Office
	Such portions as are within a radius of 3 miles of the Altona Post Office

(c) the Greensborough Ward of the City of Heidelberg, the Towns of Ararat, Horsham and Sale; the Boroughs of Castlemaine, Daylesford, Koroit, Maryborough, Portland, Queenscliff, Shepparton, Stawell, St. Arnaud, and Wangaratta; and such other portions of the State of Victoria (outside the areas mentioned in paragraphs (a) and (b) hereof) as are within a radius of 3 miles of the post offices at Bairnsdale, Bayswater, Beechworth, Belgrave, Benalla, Brown Coal Mine, Casterton, Chewton, Creswick, Croydon, Dromana, Drouin, Eltham, Epping, Euroa, Emerald, Ferntree Gully, Flinders, Gembrook, Healesville, Hepburn Springs, Kerang, Korumburra, Kyabram, Kyneton, Lake Boga, Lakes Entrance, Lara, Leongatha, Lilydale, Maffra, Moe, Monbulk, Mooroopna, Mornington, Morwell, Mount Evelyn, Narre Warren, Nhill, Nilma, Olinda, Research, Rosebud, Seymour, Somerville, Sorrento, Stratford, Swan Hill, Tallygaroopna, Tatura, Terang, Trafalgar, Traralgon, Upper Ferntree Gully, Violet Town, Warburton, Warragul, Werribee, Yallourn, Yarragon, Yarra Junction, Yarram, and Yarrawonga.

(2) On the 18th day of December, 1944, the Bread Carters Wages Board operative over an extended area was appointed to take the place of the Bread Carters Board appointed on the 18th August, 1908.

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—

(i) whosoever employed in carting or driving or assisting in carting or driving or in delivering bread in connexion with the business of a baker or a seller of bread;

(ii) employed in or in connexion with any stable in which are stabled the horses used in his trade or business by a baker or a seller of bread."

has made the following determination, namely:—

1. This Determination shall come into force and be operative on and after the 22nd February, 1945.

No. 38.—1963/45.

SECTION 1.

2. Within the Area Set out in Note (1) (a) and (b).

Apprentices.*		Improvers.		Other Employees.			
WAGES.		WAGES.			WAGES.		WEEKLY HOURS.
		Mildura District.	Elsewhere.		Mildura District.	Elsewhere.	During a week in which the Bakers' Statutory Holiday is observed.
	Per week. s. d.				s. d.	s. d.	During any other week.
1st Year—		14 and under	14 and under	Stable Workers	91 0	99 0	48
1st 6 months	34 0	21 years of age	21 years of age	All Others	108 0	116 0	46
2nd 6 months	39 6						50
2nd Year—							
1st 6 months	48 3						
2nd 6 months	56 9						
3rd Year—							
1st 6 months	68 3						
2nd 6 months	79 6						
PROPORTION—(In any place.)		PROPORTION—Wherever this Section applies.					
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.		One improver to every four or fraction of four workers receiving not less than the minimum wage.					
Apprentices and improvers shall be subject to the hours per week fixed for their respective sections.							

* The Board has determined that on and after 3rd October, 1942, no person shall be taken on as an apprentice.

TIMES OF BEGINNING AND ENDING WORK.

3. That the times of beginning and ending work for all persons (other than stable workers) shall be:—

Time of beginning.	Time of ending.
5 a.m.	6 p.m. on ordinary days.
5 a.m.	7 p.m. on days during which bread for more than one day's consumption is delivered.

NOTE.—Section 32, Act 4275, provides that within the Metropolitan District:—

Every person—

(a) who before six o'clock in the morning or after six o'clock in the evening on any day carts or delivers bread on sale whether in a retail or wholesale way, and whether the same has been paid for or is to be paid for on or after delivery; or

(b) who causes any bread to be so carted or delivered—

shall be guilty of an offence. Penalty: Minimum one pound, maximum five pounds.

OVERTIME.

4. (a) For stable workers—

In excess of 48 hours in any week 9d. per hour in addition to ordinary rates.

(b) For any other person—

Outside the hours fixed as the times of beginning and ending work .. 3s. per hour.

Within the hours fixed, in excess of the number of hours fixed as the week's work 9d. per hour in addition to ordinary rates.

ALLOWANCE.

5. Any employee who is required to wear clean washable outer garments shall be paid 1s. per week in addition to ordinary rates, irrespective of whether or not he supplies the garments.

SPECIAL RATES.

6. Double time shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Show Day (in such localities mentioned in the Twelfth Schedule to the Public Service Act 1928 as are within the area to which this Section applies), Christmas Day, or 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 be payable only for work done on the day so substituted.

Note:—Section (2) Act 4784 provides, within certain areas, that, *inter alia*, "Every baker or pastrycook shall permit every person employed by him in delivering bread to have and take a holiday for the whole of each public holiday, other than Easter Tuesday and the day after Good Friday."

MEAL TIME.

7. Not more than one hour per day shall be deducted for meals.

TIME RATE.

8. 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 24 hours, at the ordinary rate with an addition of 33 per centum.

For the time worked beyond the 24 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Section for an ordinary's week's work, together with any overtime rate which is applicable.

SICK LEAVE:

9. 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 a doctor's certificate stating that his or her non-attendance was due to personal ill health 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.

DAY AND LATEST HOUR FOR PAYMENT OF WAGES.

10. Thursday, at 5.30 p.m., shall be the day and the latest hour for payment of wages.

TERMINATION OF EMPLOYMENT.

11. Except in the case of misconduct by an employee, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

ANNUAL LEAVE.

12. (i) Any person who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday on full pay in each year, such holiday to be given within three months of the completion of each twelve months' service. Provided that any person whose service terminates after not less than six months, but less than any period of twelve months, shall be granted leave *pro rata*.

(ii) During the continuance of the present war and for six months thereafter, by agreement between the employer and the Secretary or organizer of the Bread Carters' Industrial Federation of Australia—Melbourne Division (or in default of such agreement, with the approval of the Secretary for Labour) it shall be permissible to pay an employee one week's extra wages in lieu of annual leave.

Such payment shall be made before the commencement of the annual leave period concerned.

UNION REPRESENTATIVE.

13. The State Secretary of the Bread Carters' Industrial Federation or the State organizer of such Federation shall be permitted by the employer of any person whose wages are subject to this Section to inspect the entries in the time-book required to be kept under the provisions of the Factories and Shops Acts.

DEFINITION.

14. The expression "Mildura District," wherever occurring herein, shall be deemed to mean—

(a) the City of Mildura, and

(b) the Township of Merbein in the Shire of Mildura and such portions of the said Shire as are within a radius of 1 mile of the Red Cliffs Post Office and the Irymple Post Office respectively.

SECTION 2.

15. Within the Area Set Out in Note (1) (c).

* Improvers.		Other Employees.			
		Wages.	Weekly Hours.		
			During a Week in which Carters' Holiday is Observed.	During a Week in which Carters Receive a Half-holiday as Referred to in Clause 25.	During any Other Week.
		s. d.			
Under 16 years of age	..	40 0			
16 years and under 17 years of age	..	50 0			
17 years and under 18 years of age	..	60 0			
18 years and under 19 years of age	..	70 0			
19 years and under 20 years of age	..	80 0			
20 years and under 21 years of age	..	90 0			
Proportion.—Wherever this section applies:—					
One Improver to every four or fraction of four workers receiving not less than the minimum wage					
Improvers shall be subject to the hours per week as provided for other employees					
* The Board has determined that no apprentice shall be taken to this section.					
Stable workers	..	85 0	48	48	48
All others	..	100 0	46	48	50

TIMES OF BEGINNING AND ENDING WORK.

16. The times of beginning and ending work for all persons (other than stable workers) shall be—

Time of Beginning.

5 a.m.

Time of Ending.

7 p.m.

OVERTIME.

17. (a) For stable workers—

In excess of 48 hours in any week 9d. per hour in addition to ordinary rates.

(b) For any other person—

Outside the hours fixed as the times of beginning and ending work .. 3s. per hour all inclusive.

Within the hours fixed, in excess of the number of hours fixed as the week's work 9d. per hour in addition to ordinary rates.

ALLOWANCE.

18. Any employee who is required to wear clean washable outer garments shall be paid 1s. per week in addition to ordinary rates, irrespective of whether or not he supplies the garments.

SPECIAL RATES.

19. Double time shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act 1928* as are within the area to which this Section applies), Christmas Day, or 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 be payable only for work done on the day so substituted.

Note.—Section (2) Act 4784 provides within certain areas, that, *inter alia*, "Every baker or pastrycook shall permit every person employed by him in delivering bread to have and take a holiday for the whole of each public holiday, other than Easter Tuesday and the day after Good Friday."

MEAL TIME.

20. Not more than one hour per day shall be deducted for meals.

SICK LEAVE.

21. 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 a doctor's certificate stating that his or her non-attendance was due to personal ill health 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.

For the purposes of this clause service prior to 22nd February, 1945, shall not be taken into account.

DAY AND LATEST HOUR FOR PAYMENT OF WAGES.

22. Thursday, at 5.30 p.m., shall be the day and latest hour for payment of wages.

TERMINATION OF EMPLOYMENT.

23. Except in the case of misconduct by an employee, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

ANNUAL LEAVE.

24. (i) Any person who has been on the service of an employer for a period of not less than twelve months shall be granted one week's holiday on full pay in each year, such holiday to be given within three months of the completion of each twelve months' service. Provided that any person whose service terminates after not less than six months, but less than any period of twelve months, shall be granted leave *pro rata*.

(ii) During the continuance of the present war and for six months thereafter, by agreement between the employer and the Secretary or organizer of the Bread Carters' Industrial Federation of Australia—Melbourne Division (or in default of such agreement, with the approval of the Secretary for Labour) it shall be premissable to pay an employee one week's extra wages in lieu of annual leave.

Such payment shall be made before the commencement of the annual leave period concerned.

For the purposes of this clause, service prior to 22nd February, 1945, shall not be taken into account.

WEEKLY HOLIDAY.

25. In all places where Section 212 of the Factories and Shops Act does not apply the employer shall grant to each carter coming under this Section a half-holiday each week. The day of such half-holiday is not to be changed by the employer unless he gives to his carters one month's previous notice of such change.

UNION REPRESENTATIVE.

26. The State Secretary of the Bread Carters' Industrial Federation or the State organizer of such Federation shall be permitted by the employer of any person whose wages are subject to this Determination to inspect the entries in the time-book required to be kept under the provisions of the Factories and Shops Acts.

SECTION 3.

All Persons to whom this Determination Applies.

PERIODICAL ADJUSTMENT OF WAGES.

27. The wages rates for adults set out in clauses 2 and 15 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, the 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 improvers and apprentices set out in clause 2, and improvers set out in clause 15, shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be 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 28.

BASIC WAGE.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	4 12 0	Five towns, Victoria

ADJUSTMENT OF BASIC WAGE.

28. (a) Until the beginning of the first pay period to commence in May, 1945, the amount of the basic wage shall be as prescribed in clause 27.

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, 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 to a place is that assigned to Five Towns, Victoria.
- (2) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made 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, 12th March, 1945.

By Authority: H. E. Daw, Government Printer, Melbourne.