

[1947]



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 202]

WEDNESDAY, MARCH 24.

[1948

Factories and Shops Acts.

DETERMINATION OF THE BREAD CARTERS BOARD.

NOTES.—(1) This Determination applies to the whole of the State of Victoria.

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

[N 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) wheresoever 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 :—

That, on the 23rd January, 1948, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART 1.

This Part applies to :—

The Metropolitan District as defined in the Factories and Shops Acts, and the Orders in Council thereunder, and such portion of the Shire of Doncaster and Templestowe as is not included within the said District; the cities of Ballarat, Bendigo, Chelsea, Geelong, Geelong West, Mordialloc, and Warrnambool; the town of Newtown and Chilwell; the boroughs of Eaglehawk and Sebastopol; 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 Dousta Galla Riding of the Shire of Kallaroo and such portion of the Maribyrnong Riding of the said Shire as is within three 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 such portions of the Shire of Werribee as are within a radius of 3 miles of the Altona Post Office.

1.

Improvers.*		Other Employees.	
WAGES.	Per Week of 42 Hours.	—	Wages per Week of 42 Hours.
			<i>s. d.</i>
14 and under 21 years of age	106 0	Stable Workers	128 0
		All Others	140 0

PROPORTION—Wherever this Section applies.
(In any place.)
One improver to every four or fraction of four workers receiving not less than the minimum wage.

* The Board has determined that no person shall be taken on as an apprentice.

TIMES OF BEGINNING AND ENDING WORK.

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

Time of beginning.	Time of ending.
6 a.m.	.. 6 p.m. on ordinary days, provided that the carting and/or delivering of bread before 8 a.m. is prohibited.
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.

DELIVERY OF BREAD.

3. Except in weeks when bread is permitted to be baked on Saturdays, the delivery of bread shall be confined to the days Monday to Friday inclusive of such weeks.

OVERTIME.

4. (a) For stable workers—

In excess of 42 hours in any week 1s. per hour in addition to ordinary rates.

(b) For any other person—

Within the hours fixed, in excess of the number of hours fixed as the week's work 1s. per hour in addition to ordinary rates.

ALLOWANCE.

5. Any employee who is required to wear clean washable outer garments shall be paid 2s. 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.

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

For the time worked beyond the 21 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Section for an ordinary week's work, together with any overtime rate which is applicable.

SICK LEAVE.

9. (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 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 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 23rd January, 1948, shall be disregarded.

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 HOLIDAY.

12. 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.

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*.

PART 2.

This Part applies to :—

(a) The City of Mildura, the town of Hamilton, the boroughs of Colac, Echuca and Wonthaggi,

(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.
Colac	Such portions as are within a radius of 2 miles of the Colac Post Office
Frankston and Hastings ..	The Seaford Riding and the Township of Frankston
Hampden	Such portions as are within a radius of 2 miles of the Camperdown Post Office
Mildura	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

1.

Improvers.*		Other Employees.				
WAGES.		—	WAGES.		WEEKLY HOURS.	
Mildura District.	Elsewhere.		Mildura District.	Elsewhere.	During a Week in which Carters' Holiday is Observed.	During any Other Week.
Per week. s. d.	Per week. s. d.		s. d.	s. d.		
14 and under 21 years of age .. 96 6	14 and under 21 years of age .. 106 0	Stable Workers ..	120 0	128 0	42	46
		All Others ..	135 0	140 0	42	46

PROPORTION—Wherever this Section applies.
(In any place.)

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 fixed for their respective sections.

* The Board has determined that no person shall be taken on as an apprentice.

TIMES OF BEGINNING AND ENDING WORK.

2. 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.

BREAD CARTERS' HOLIDAY.

3. Every baker shall permit every person employed by him in delivering bread to have and take a holiday for the whole of:—

(a) each public holiday, other than Easter Tuesday and the day after Good Friday; and

(b) the first and third Wednesday in each month, other than any such first or third Wednesday which occurs in any week in which any public holiday occurs on some other day or days.

OVERTIME.

4. (a) For stable workers—

In excess of the number of hours fixed for a week's work 1s. per hour in addition to ordinary rates.

(b) For any other person—

Within the hours fixed, in excess of the number of hours fixed as the week's work 1s. per hour in addition to ordinary rates.

ALLOWANCE.

5. Any employee who is required to wear clean washable outer garments shall be paid 2s. 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.

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 one-half the number of hours fixed for an ordinary week's work, at the ordinary rate with an addition of 33 per centum.

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

SICK LEAVE.

9. (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 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 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 23rd January, 1948, shall be disregarded.

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 HOLIDAY.

12. The annual holiday shall be as proscribed 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.

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.

PART 3.

This Part applies to the towns of Ararat, Horsham, and Sale, the boroughs of Castlemaine, Clunes, Daylesford, Inglewood, Koroit, Maryborough, Port Fairy, Portland, Queenscliff, Shepparton, St. Arnaud, Stawell, Swan Hill, and Wangaratta.

1.

• Improvers.		Other Employees.		
	Wages.	Weekly Hours.		
	s. d.	Wages.	During a Week in which Carters' Holiday is Observed.	During any Other Week.
Under 16 years of age	50 0			
16 years and under 17 years of age	61 3			
17 years and under 18 years of age	75 3			
18 years and under 19 years of age	87 6			
19 years and under 20 years of age	99 9			
20 years and under 21 years of age	112 6			
Proportion.—Wherever this section applies:—				
One Improver to every four or fraction of four workers receiving not less than the minimum wage.		Stable workers	114 0	42 46
Improvers shall be subject to the hours per week as provided for other employees.		All others	124 0	42 46
• The Board has determined that no apprentice shall be taken to this Section.				

TIMES OF BEGINNING AND ENDING WORK.

2. 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.	7 p.m.

BREAD CARTERS' HOLIDAY.

3. Every baker shall permit every person employed by him in delivering bread to have and take a holiday for the whole of:—

(a) each public holiday, other than Easter Tuesday and the day after Good Friday; and

(b) the first and third Wednesday in each month, other than any such first or third Wednesday which occurs in any week in which any public holiday occurs on some other day or days.

OVERTIME.

4. (a) For stable workers—

In excess of the number of hours fixed for an ordinary week's work 1s. per hour in addition to ordinary rates.

(b) For any other person—

Within the hours fixed, in excess of the number of hours fixed as the week's work 1s. per hour in addition to ordinary rates.

ALLOWANCE.

5. Any employee who is required to wear clean washable outer garments shall be paid 2s. 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.

MEAL TIME.

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

SICK LEAVE.

8. (a) Any employee not attending for duty, who has 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 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 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 23rd January, 1948, shall be disregarded.

DAY AND LATEST HOUR FOR PAYMENT OF WAGES.

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

TERMINATION OF EMPLOYMENT.

10. 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 HOLIDAY.

11. 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.

UNION REPRESENTATIVE.

12. 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*.

PART 4.

This Part applies to all other parts of the State not covered by Parts 1, 2, or 3.

1.

* Improvers.		Other Employees.	
	Wages		
	<i>s. d.</i>		Wages per Week of 44 Hours.
Under 16 years of age	50 0		
16 years and under 17 years of age	61 3		
17 years and under 18 years of age	75 3		
18 years and under 19 years of age	87 6		
19 years and under 20 years of age	99 9		
20 years and under 21 years of age	112 6		
Proportion.—Wherever this section applies :—			<i>s. d.</i>
One Improver to every four or fraction of four workers receiving not less than the minimum wage		Stable workers	114 0
Improvers shall be subject to the hours per week as provided for other employees		All others	124 0
* The Board has determined that no apprentice shall be taken to this Section.			

TIMES OF BEGINNING AND ENDING WORK.

2. 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.	7 p.m.

OVERTIME.

3. (a) For stable workers—

In excess of 44 hours in any week 1s. per hour in addition to ordinary rates.

(b) For any other person—

Within the hours fixed, in excess of the number of hours fixed as the week's work 1s. per hour in addition to ordinary rates.

ALLOWANCE.

4. Any employee who is required to wear clean washable outer garments shall be paid 2s. per week in addition to ordinary rates, irrespective of whether or not he supplies the garments.

SPECIAL RATES.

5. 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.

MEAL TIME.

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

SICK LEAVE.

7. (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 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 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 23rd January, 1948, shall be disregarded.

DAY AND LATEST HOUR FOR PAYMENT OF WAGES.

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

TERMINATION OF EMPLOYMENT.

9. 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 HOLIDAY.

10. 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.

WEEKLY HOLIDAY.

11. The employer shall grant to each carter coming under this Part 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.

12. 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*.

PART 5.

All Persons to whom this Determination Applies.

PERIODICAL ADJUSTMENT OF WAGES.

1. The wages rates for adults set out in clause 1 of Parts 1, 2, 3, and 4 are based upon the following basic wage rates and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 2 of this Part. Provided that the wages of improvers, set out in clause 1 of Parts 1, 2, 3, and 4, 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.

BASIC WAGE.

Place.	Needs Basic Wage (Adjustable.)	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State	5 3 0	6 0	5 9 0	Five towns, Victoria

ADJUSTMENT OF BASIC WAGE.

2. (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, 1948, the amounts of the Basic Wage shall be as prescribed in clause 1 of this Part.

(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 needs 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 .087 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.

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

J. V. WILLOX, Secretary.

Melbourne, 8th January, 1948.