



VICTORIA GOVERNMENT GAZETTE

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[1916.]

Factories and Shops Act 1915.

(Sewer Builders Board.)

IN THE COURT OF INDUSTRIAL APPEALS.

In the matter of the Factories and Shops Act

and

In the matter of the Determination of the Special Board appointed to determine the lowest prices or rates which may be paid to any persons employed as Labourers in connexion with the construction of sewers.

Determination of the Court of Industrial Appeals on the appeal of a majority of the Representatives of Employers on the said Special Board, and also a group of employers who employ not less than twenty-five per centum of the total number of the workers in the trade affected, against the Determination of the Sewer Builders Board, dated the 17th day of January, 1916.

WEDNESDAY, the 15th day of November, 1916.

(Before His Honour Mr. Justice Hodges and Messrs. H. V. Champion and A. O'Brien.)

THE above-mentioned Appeal coming on for Hearing before this Court on the 25th, 26th, 27th, 28th, and 29th days of September, 1916, the 13th day of October, 1916, the 6th day of November, 1916, and this day: Upon reading the notice of appeal and upon hearing what was alleged on behalf of the appellants and on behalf of various employees, This Court doth order and determine that the said Determination of the Board be amended by making the following Determination in lieu thereof:—

1. That this Determination shall come into force on the 1st day of December, 1916.

WAGES.

2. That the lowest rates of wages to be paid to the following classes of persons shall be:—

Classes of Persons.	Wages.	
	Per Hour.	Per Week of 48 Hours.
	s. d.	s. d.
Powder monkey.. .. .	1 6	72 0
Concrete manhole builder		
Leading trimmer, or		
Invert block setter		
Manhole or other sinkers, or drivers, at a depth of—		
Not more than 20 feet	1 5	68 0
More than 20 feet	1 6	72 0
Foreman's assistant	1 5	68 0
Pitcher setter	1 5	68 0
Pipe layer or jointer		
Spall packer, or		
Tool sharpener		
Topman and shoveller	1 3	60 0
Slurry filler		
Trucker, underground, or	0 10	40 0
Earth packer		
Tool sharpener's assistant, or		
Nipper, i.e., person carrying tools	1 3	60 0
All others		

WAGES—continued.

Any employee working in wet ground, that is ground where a man working therein under ordinary and usual conditions must in the performance of his work—

- (i) be wetted continuously from the feet to the knees; or
- (ii) be wetted above the waist in the course of a shift through working clothes other than oilskins or other waterproof clothing, by water settling in or falling or dripping upon him,

shall be paid 1½d. per hour in addition to the above rates.

APPRENTICES AND IMPROVERS.

"Apprentice" means any person under 21 years of age bound by indentures of apprenticeship, or any person over 21 years of age who, with the sanction of the Minister, is bound by indentures of apprenticeship. (Act 2650, Section 3.)

"Improver" means any person (other than an apprentice) who does not receive a piece-work price or a wages rate fixed by any Special Board for persons other than apprentices or improvers, and who is not over 21 years of age, or who, being over 21 years of age, holds a licence from the Minister to be paid as an improver. (Act 2650, Section 3.)

3. That—

- (a) the lowest rates which may be paid to an apprentice or an improver, and
- (b) the proportionate number of apprentices and improvers who may be employed in any place,

shall be as shown in the following table:—

During—	Wages per Week of 48 Hours.		Proportionate Number in any Place.
	Apprentices.	Improvers.	
	s. d.	s. d.	
1st year	20 0	} 40 0	APPRENTICES. One apprentice to every three or fraction of three workers receiving not less than 40s. 0d. per week of 48 hours.
2nd „	25 0		
3rd „	30 0		
			IMPROVERS. One improver to every fifty or fraction of fifty workers receiving not less than 40s. 0d. per week of 48 hours.

OVERTIME.

4. That any employee who works for any time in excess of 48 hours in any week shall be paid for such extra time at the rate of time and a half.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

5. That double time shall be the special rate for all work done on—

Sunday,
 New Year's Day,
 Good Friday,
 Easter Monday,
 21st April (Eight Hours Day),
 Christmas Day,
 Boxing Day;

but if any other day be, by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

By the Court,

W. H. GRAY,
 Registrar.

The above Determination of the Court of Industrial Appeals is hereby published by the Minister of Labour, pursuant to sub-section (1) of section 177 of the *Factories and Shops Act 1915* (No. 2650).

A. J. PEACOCK,
 Minister of Labour.

16th November, 1916.