



VICTORIA GOVERNMENT GAZETTE.

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[1936

Factories and Shops Acts.

DETERMINATION OF THE EXCAVATION OR ROADWORK BOARD.

NOTE.—This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 6th May, 1930, has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed at—

(1) Excavation or earthwork in connexion with—

- (a) the building of wharfs, piers, jetties, or docks,
- (b) the forming of street channels or drains,
- (c) the diversion of streams or rivers.

(2) The construction or maintenance of streets, footpaths, or roads, and any work incidental thereto.

(3) Concrete work in connexion with or incidental to—

- (a) the construction of street channels or drains;
- (b) the diversion of streams or rivers.

(4) The construction of storm-water drains (other than main storm-water drains), and any work incidental thereto—

but not including persons who may be or are subject to a Determination of the Sewer Builders Board, has made the following Determination, namely:—

(1) That on the 18th day of May, 1936, the previous Determination of this Board shall be revoked and replaced by this Determination.

(2) IMPROVERS.

Wages.		Proportion (by any Employer).	
			IMPROVERS.
	Per hour.	Per week of 44 hours.	
	s. d.	s. d.	
Under 18 years of age	1 0	44 0	One improver to every twenty-five or fraction of twenty-five workers receiving not less than the rate fixed in this Determination for "All others."
18 years of age and under 20	1 3	55 0	
20 years of age and under 21	1 5	62 4	

NOTE.—The Wages Board has determined in accordance with section 25 (1) of the amended *Factories and Shops Act 1934* that the trade is so unskilful that no person should be taken as an apprentice to the trade.

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OTHER EMPLOYEES.

	WAGES.					
	Within the Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder.			In all Other Parts of Victoria.		
	Day Shift.		Afternoon Shift or Night Shift.	Day Shift.		Afternoon Shift or Night Shift.
	Per Hour.	Per Week of 44 Hours.		Per Hour.	Per week of 44 hours.	
Leading rigger	s. d.	s. d.		s. d.	s. d.	
Pitcher-setter, cube-setter, or pavior	1 11	84 4		1 10½	82 6	
Splicer of wire rope or hemp rope						
Weigher on asphaltic concrete mixing plant						
Pipe-jointer } of cast iron or steel pipes, or of cement pipes						
Leading pipe-layer } under internal pressure						
Leading tackle hand						
Manhole builder	1 10	80 8		1 9½	78 10	
Sinker working more than 12 feet below surface in trenches for storm-water drains						
Skid scoop (tumbling tommy) filler and driver						
Driver of six or more horses						
Batterman using batter rule						
Bituminous emulsion worker						
Boodler in tunnel						
Person tarring or laying wood blocks						
Powder-monkey						
Rake hand on tar macadam	1 9½	78 10		1 9	77 0	
Rake hand—asphaltic concrete						
Sanitary or garbage attendant						
Sinker working more than 6 feet below surface in trenches for storm-water drains						
Scabber in tunnel						
Timber man in tunnel or shaft						
Tunnel man or shaft sinker						
Bitumen kettle attendant or pourer						
Filler of monkey-tail scoop						
Hammer or drill man						
Hot asphaltic concrete shoveller or forker						
Jack hammer man	1 9	77 0		1 8½	75 2	
Metal spreader from plates or dumps on road bed						
Person mixing, gauging, spreading, laying on or finishing concrete						
Spallier						
Ploughman						
Setter-out of reinforcements						
Cold asphaltic concrete shoveller or forker						
Tipper of monkey-tail scoop						
Manhole builder's labourer	1 8½	75 2		1 8	73 4	
Person doing rough pitching						
Slurry filler						
Tar macadam mixer or wheeler						
All others	1 7½	72 0		1 7	69 8	

(3) SHIFTS.—That the hour of beginning and the hour of ending each shift shall be as follows:—

	Time of Beginning.	Time of Ending.
Monday to Friday (Day shift)	8 a.m.	12 noon
Saturday	1 p.m.	5 p.m.
Monday to Saturday (Day shift)	8 a.m.	12 noon
(Afternoon shift)		
(Night shift)		
Monday to Saturday (Day shift)	7 a.m.	3 p.m.
(Afternoon shift)	3 p.m.	11 p.m.
(Night shift)	11 p.m.	7 a.m.

Any of the above times may be varied or the total of 44 hours may be worked from Monday to Friday on the vote of a majority of the employees.

The following rates shall be paid for all time worked by an employee before or after his shift—

(a) In cases where the times of beginning and ending the shift have been varied by the vote of a majority of the employees and where the work is done within the hours as so varied

(b) In other cases Ordinary rates.
Time and a quarter for the hour immediately preceding or following the times prescribed, and time and a half for the remainder.

Provided that horse drivers shall be entitled to payment at ordinary rates only for time spent in taking charge of teams at the yard, camp, or stable, or in taking teams therefrom or returning teams thereto.

(4) **SPECIAL RATES.**—Double time shall be the special rate payable to any person who is required to work on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day, and Boxing Day, but ordinary rates only shall be payable to an employee who works on any of these days at his own request. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(5) **WET PAY.**—An employee who is required to work in a wet place and who is not provided by the employer with gum boots or oilskins, or both, which will prevent him from getting wet, shall be paid one shilling extra for each day on which he performs any work in such wet place.

A place shall be deemed to be wet when water other than rain is dropping continually from overhead so as to saturate the clothing of the employee if unprotected, or when the water in the place where the employee is standing is over 2 inches deep.

(6) **EMPLOYEE RECALLED TO WORK.**—Any employee who is recalled to work after the expiration of his customary working time for the day, and after he has left work for the day, shall be paid at the least as for working two hours at overtime rates.

(7) **EMPLOYEE NOT REQUIRED ON NEXT SHIFT.**—Any employee who is not informed before he leaves the job at the end of his shift that he is not required to work at his next shift, and who is not put to work at the next shift, although he attends, shall be paid in full wages for half that shift not worked, except when such unemployment is due to circumstances beyond the control of the employer. This clause shall apply only where more than one shift is being worked.

(8) **PAYMENT OF WAGES.**—Payment of wages shall be made during working hours. Where payment is not so made, and such failure is not caused by special circumstances beyond the control of the employer, the employee shall be paid at ordinary rates for the time occupied in paying to him his wages.

(9) **ROTATION OF SHIFTS.**—Where practicable, shifts shall be changed in rotation each week.

(10) **CRIB TIME.**—Where two or more shifts are worked, twenty minutes shall be allowed during each shift for "crib time," without deduction from wages.

(11) **MAXIMUM OVERTIME PERIOD BETWEEN MEALS.**—When overtime is worked by an employee, or any work is performed by an employee on a Sunday, not more than four hours shall be worked without a break for a meal.

(12) **REST PERIOD AFTER OVERTIME DUTY.**—When an employee has been on duty so long as not to have had eight hours at least for rest before his next proper or usual starting time, he shall be entitled to be absent until he has had eight hours off duty.

(13) **WATER FOR ROCK DRILLING BY MACHINE.**—In places where rock-drilling machines are used in tunnels or in shafts over 10 feet deep, the employer shall, where practicable, provide, and the employee shall use, water when drilling rocks by machines. In other rock-drilling places, where practicable and reasonable, water shall be provided and used.

(14) **CLOGS.**—Rakers and shovellers of asphaltic concrete shall be provided, by the employer, with clogs.

(15) **VENTILATION.**—The employer shall install, where necessary, appliances for proper and adequate ventilation of shafts and tunnels.

(16) **WATER.**—Sufficient water for each gang shall be provided by the employer free of charge.

(17) **SANITATION.**—In all camps, where the pan system is not in use, the employer shall install fly-proof sanitary conveniences and provide attention thereto. In shifting camps, practicable and reasonable temporary provision shall be made by the employer.

(18) **CHANGING HOUSE.**—Where required, the employer shall provide on each job a sufficiently roomy enclosed and roofed structure to enable employees to change their clothing.

(19) **FIRST-AID OUTFIT AND STRETCHER.**—The employer shall provide at every job a sufficient first-aid box and a stretcher for the use of sick or injured employees, and shall keep the same always in proper order.

(20) **POWDER-MONKEY'S WORK.**—Where explosives are used, the work of a powder-monkey shall be done only by a man competent for that work.

(21) **TOOLS.**—The employer shall supply all tools necessary, which the employee shall return in good condition (fair wear and tear excepted).

(22) **PAY DAY.**—Payment of wages due under this Determination shall be made on any day other than Saturday.

ADDITIONAL PROVISIONS APPLICABLE ONLY TO WORK DONE OUTSIDE THE METROPOLITAN DISTRICT AS DEFINED IN THE "FACTORIES AND SHOPS ACTS" AND THE ORDER IN COUNCIL THEREUNDER.

The provisions of clauses 23 to 31 inclusive shall not apply to any work in connexion with which the employer elects to pay and does pay to every employee who is subject to this Determination, rates not less than those provided for work done within the above-mentioned Metropolitan District.

(23) **ERECTING AND SHIFTING CAMP.**—Employees shall be paid at their respective ordinary rates for all time occupied by them during their ordinary hours of duty in erecting or shifting camp and in removing plant and equipment. For such work performed outside the ordinary hours of duty employees shall be paid at overtime rates.

(24) WALKING AND TRAVELLING TIME—

(a) Where the employee has to walk between the yard, camp, depot or picking-up place of the employer and his work, and the distance to be walked is in excess of 1 mile, he shall be paid for each mile of such excess distance at the rate of one-third of the hourly rate provided for "All others."

(b) Where the employee is conveyed between the said yard, camp, depot or picking-up place and the place of work, for all time in excess of twenty minutes each way spent in such conveying he shall be paid at the rate fixed for "All others."

(25) CAMP ALLOWANCE—

(a) Employees who in order to be available for their work have to live in a camp established either by employers or employees for the purpose of enabling employees to be so available by living therein, shall be paid a camping allowance of 1s. for each day in which they are required to hold themselves and do hold themselves available in the camp for work throughout the said day, whether or not work is done thereon, provided that the employer shall not be bound to pay any camping allowance if—

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|--|---|
| (i) the employer provides the employee with a proper mess room and with cooked food thereat | } whether or not the employee avails himself of these facilities. |
| (ii) proper board, at not exceeding 18s. per week, can be obtained by the employee within a reasonable distance from the camp. | |

(b) Nothing in this clause shall entitle the employer to deprive a married man living in the camp with his wife of the camp allowance, unless the employer supplies such an employee with a house at a reasonable rent.

(26) **FARES.**—The fares of an employee proceeding for the first time to work from the place of engagement shall be paid by the employer, who may deduct the amount thereof from his first or later wages.

Provided that the amount so deducted shall be refunded to the employee if he continue to work for the employer for at least two months, or for so long as the work continues should the work cease sooner.

(27) **USE OF TENTS AND CUBICLES.**—When employees have to camp out to be near their work, tents and tent poles or cubicles shall be provided by the employer free of charge.

(28) **STRETCHERS.**—The employer shall supply, free of charge, material for stretchers.

(29) **WOOD AND WATER.**—The employer shall provide at the camp a reasonable quantity of wood and water for all employees living in or about the camp.

(30) **DRYING SHEDS.**—The employer shall provide adequate conveniences for employees to dry their working clothes

(31) **MESS ROOM.**—The employer shall, if required by the majority of the employees, provide a mess room in a fixed camp containing twenty or more men where the camp is likely to continue for at least six months.

(32) **FIRST AID.**—The employer shall employ a man with first-aid qualification on all works employing 100 or more men, and a person with first-aid knowledge in other circumstances reasonably requiring the same.

(33) **ACCOMPANYING INJURED OR SICK EMPLOYEES.**—No employee suffering from illness or injury sustained on the job shall be permitted to leave the job unless accompanied or assisted by a sufficient number of employees, except in the case of his removal by ambulance to his home or a hospital. All expenses incurred in such patient's removal shall be paid by the employer.

(34) **RETURN OF TOOLS AND TENTS.**—If the employer requires an employee, when discharged or leaving, to take down tents or return tools or tents, he shall pay the employee for the time so occupied at the rate fixed for "all others."

D. BERRIMAN, Chairman.

J. B. MCINDOE, Secretary.

Dated at Melbourne, 1st day of May, 1936.