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[1937

Factories and Shops Acts.

## DETERMINATION OF THE WOODWORKERS BOARD.

Adjusted pursuant to Section 21 of the *Factories and Shops Act 1934* (No. 4275).

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

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a determination made on the 11th October, 1937, by the Woodworkers Board and published in the *Government Gazette* on 21st October, 1937, hereby issue an adjusted determination showing the adjusted wages rates to be paid as from the first pay period commencing in December, 1937, to any persons (other than persons under the jurisdiction of the Carpenters, Agricultural Implements, Country Agricultural Implements, Shops Board No. 12 (Fuel and Fodder), Shops Board No. 13 (Fuel and Fodder, Country), or persons engaged in ship or boat building, or the erection of bridges, wharfs, or similar structures), employed as—

- (a) box-makers;
- (b) stackers, sorters, loaders, or unloaders of sawn, hewn, or split timber or logs;
- (c) sawmill, timber-yard, timber seasoning plant, box factory, or joiners' workshop employees (other than carpenters or joiners);
- (d) builders of tramways for the conveyance of logs or timber;
- (e) timber fellers, hewers, or splitters whosoever employed;
- (f) forest workers conveying timber to a sawmill;
- (g) workers conveying timber from a sawmill by tramway;
- (h) woodworkers making articles not under the jurisdiction of any Wages Board heretofore appointed or hereafter to be appointed—

(2) (a)

WAGES PER WEEK OF 46 HOURS.

Adult Employees.

	Employed in the Bush or at Bush Sawmills.	Employed in the Metropolitan, Mildura, and Gippsland Districts, Geelong and Warrnambool. (Except in the Bush and at Bush Sawmills.)	Employed in all other Districts of Victoria. (Except in the Bush and at Bush Sawmills.)
	£ s. d.	£ s. d.	£ s. d.
Blacksmith .. .. .	5 0 0	5 1 0	4 18 0
Driver of caterpillar tractor .. .. .	4 12 6	.. .. .	.. .. .
Glazier .. .. .	4 8 0	4 9 0	4 6 0
Painter .. .. .	4 8 0	4 9 0	4 6 0
Mantelpiece maker .. .. .	4 15 0	4 16 0	4 13 0
Millwright .. .. .	5 3 0	5 4 0	5 1 0
Watchman .. .. .	4 4 0	.. .. .	.. .. .
Storeman and packer .. .. .	4 0 0	4 1 0	3 18 0
Truck builder and/or repairer .. .. .	4 14 0	.. .. .	.. .. .
Broad axeman .. .. .	5 2 0	5 3 0	5 0 0
Guard, i.e., an employee other than an engine driver who is in charge of a train of trucks drawn by a locomotive .. .. .	4 14 0	.. .. .	.. .. .
Brakesman on log or timber truck .. .. .	4 8 0	.. .. .	.. .. .
Leading hand (see definition, Clause 23) .. .. .	.. .. .	.. .. .	.. .. .
Splitter, packing .. .. .	4 2 0	4 3 0	4 0 0
Splitter of billets for staves .. .. .	4 3 0	4 4 0	4 1 0
Splitter, spoke stave and piling .. .. .	4 5 0	4 6 0	4 3 0
Spotter at spot mills .. .. .	4 14 0	.. .. .	.. .. .
Timber bender by hand .. .. .	4 8 0	4 9 0	4 6 0
Timber or log trucker on haulage by winch on tram line .. .. .	4 6 0	.. .. .	.. .. .
Timber or log trucker on haulage by winch on tram line (where permanently employed as such) .. .. .	4 8 0	.. .. .	.. .. .
Loading or turning sleepers over 5 feet long or loading logs .. .. .	4 3 6	.. .. .	.. .. .
Kiln operator, i.e., employee who operates a drying kiln and is responsible for the temperature, reading and records thereof .. .. .	4 11 0	4 12 0	4 9 0
Platelayer .. .. .	4 4 0	.. .. .	.. .. .

## WAGES PER WEEK OF 46 HOURS.—Adult Employees—continued.

	Employed in the Bush or at Bush Sawmills.	Employed in the Metropolitan, Mildura, and Gippsland Districts, Geelong and Warrnambool, (Except in the Bush and at Bush Sawmills.)	Employed in all other Districts of Victoria, (Except in the Bush and at Bush Sawmills.
	£ s. d.	£ s. d.	£ s. d.
Carter and driver—bullock team—bush .. .. .	4 16 0	..	..
Carter and driver—bush—			
(a) driver of one or two horses .. .. .	4 4 0	..	..
(b) driver of three horses .. .. .	4 7 0	..	..
(c) driver of more than three horses .. .. .	4 10 0	..	..
(d) driver grooming and feeding one or two horses outside ordinary hours— 1s. per day extra and 1s. for Sunday.			
(e) driver grooming and feeding more than two horses outside ordinary hours—2s. per day extra and 2s. for Sunday.			
Crane attendant or dogman—			
(a) working up to a height of 40 feet .. .. .	4 2 0	4 3 0	4 0 0
(b) working at a height over 40 feet .. .. .	4 4 0	4 5 0	4 2 0
Faller .. .. .	4 14 0	..	..
Hookman and/or log yardman .. .. .	4 4 0	4 5 0	4 2 0
Landing builder or repairer .. .. .	4 4 0	4 5 0	4 2 0
Landing builder or repairer—man in charge of .. .. .	4 10 0	4 11 0	4 8 0
Orderman .. .. .	4 9 0	4 10 0	4 7 0
Tallyman and/or measurer .. .. .	4 9 0	4 10 0	4 7 0
Ropeman or shoeman .. .. .	4 14 0	4 15 0	4 12 0
Offsider to ropeman or shoeman .. .. .	4 2 0	4 3 0	4 0 0
Saw doctor .. .. .	5 9 0	5 10 0	5 7 0
Saw sharpener (exclusively employed as such) .. .. .	4 12 0	4 13 0	4 10 0
Grinder (exclusively employed or as a principal duty grinding knives and cutters) .. .. .	4 19 0	5 0 0	4 17 0
Water dogman .. .. .	4 7 0	..	..
River logman .. .. .	4 2 0	..	..
Stacker for seasoning by means of stripping .. .. .	4 3 0	4 4 0	4 1 0
Block stacker to height of over 6 feet .. .. .	3 18 0	3 19 0	3 16 0
Tramway builder or repairer .. .. .	4 3 0	..	..
Tramway builder or repairer—man in charge of .. .. .	4 9 0	..	..
Sawing employees—			
(a) Log band sawyer .. .. .	5 3 0	5 4 0	5 1 0
(b) Twin or vertical sawyer who breaks down logs and cuts planks to a finished size .. .. .	5 3 0	5 4 0	5 1 0
(c) Stave cutting sawyer .. .. .	4 16 0	4 17 0	4 14 0
(d) (i) Twin or vertical sawyer who breaks down logs but does not cut planks to size (city mills) .. .. .	..	4 15 0	4 12 0
(ii) Twin or vertical sawyer who breaks down logs but does not cut planks to size (elsewhere) .. .. .	4 13 0	..	4 11 0
(e) Flitching frame sawyer .. .. .	4 12 0	4 13 0	4 10 0
(f) No. 1 Benchman .. .. .	5 3 0	5 4 0	5 1 0
(g) No. 2 Benchman .. .. .	4 16 0	4 17 0	4 14 0
(h) No. 3 Benchman .. .. .	4 9 0	4 10 0	4 7 0
(i) No. 4 Benchman .. .. .	4 2 0	4 3 0	4 0 0
(j) Gang frame sawyer .. .. .	4 10 0	4 11 0	4 8 0
(k) Dockerman and/or tallyman where two or more dockers—			
(i) Main dockerman .. .. .	4 6 0	4 7 0	4 4 0
(ii) Dockerman, other than main .. .. .	4 1 0	4 2 0	3 19 0
(iii) Responsible man at main dockerman .. .. .	4 9 0	4 10 0	4 7 0
(iv) Responsible man at dockerman other than main .. .. .	4 4 0	4 5 0	4 2 0
(l) Dockerman and/or tallyman where only one dockerman .. .. .	4 4 0	4 5 0	4 2 0
(m) Steam or other power-driven crosscut sawyer .. .. .	4 8 0	4 9 0	4 6 0
(n) Ripper or crosscut cutting wood blocks .. .. .	4 2 0	4 3 0	4 0 0
(o) Puller out No. 1 Bench—			
(i) Single handed on dead roller .. .. .	4 14 0	4 15 0	4 12 0
(ii) On dead roller where not single handed .. .. .	4 6 0	4 7 0	4 4 0
(iii) Power-driven or friction feed or split roller .. .. .	4 3 0	4 4 0	4 1 0
(p) Handleman or leverman No. 1 Bench .. .. .	4 3 0	4 4 0	4 1 0
(q) Puller out No. 2 Bench—			
(i) Single handed on dead roller .. .. .	4 8 0	4 9 0	4 6 0
(ii) On dead roller where not single handed .. .. .	4 3 0	4 4 0	4 1 0
(iii) Power-driven or friction feed or split roller .. .. .	4 1 6	4 2 6	3 19 6
(r) Handleman or leverman No. 2 Bench .. .. .	4 1 6	4 2 6	3 19 6
(s) Setter on log band saw carriage .. .. .	4 4 0	4 5 0	4 2 0
(t) Setter on other saw carriage .. .. .	4 3 0	4 4 0	4 1 0
(u) Puller out or assistant, No. 3 Bench .. .. .	4 0 0	4 1 0	3 18 0
(v) Roller re-cut band sawyer using blade over 3 inches in width .. .. .	4 17 0	4 18 0	4 15 0
(w) Roller re-cut band sawyer using blade not over 3 inches in width if the sawyer is ever required to braze or sharpen his own saw and then only from such time as he is required so to act .. .. .	4 16 0	4 17 0	4 14 0
(x) Roller re-cut band sawyer using blade not over 3 inches if not brazing or sharpening his own saw .. .. .	4 10 0	4 11 0	4 8 0
(y) Circular sawyer if cutting a depth of or over 7½ inches .. .. .	4 17 0	4 18 0	4 15 0
(z) Circular sawyer if cutting a depth of under 7½ inches .. .. .	4 10 0	4 11 0	4 8 0
(aa) Edger sawyer to log band sawyer .. .. .	4 16 0	4 17 0	4 14 0
(ab) Breaking down bench sawyer (cities and towns) .. .. .	..	4 15 0	4 12 0
(ac) Other breaking down bench sawyers .. .. .	4 12 0	4 13 0	4 10 0
(ad) Frame sawyer if cutting a depth of or over 18 inches .. .. .	4 11 0	4 12 0	4 9 0
(ae) Frame sawyer if cutting a depth of less than 18 inches .. .. .	4 7 0	4 8 0	4 5 0
(af) Detail band or jig sawyer if the sawyer is ever required to braze or sharpen his own saw and then only from such time as he is required so to act .. .. .	4 16 0	4 17 0	4 14 0

## WAGES PER WEEK OF 46 HOURS.—Adult Employees—continued.

	Employed in the Bush or at Bush Sawmills.	Employed in the Metropolitan, Mildura, and Gippsland Districts, Geelong and Warrnambool. (Except in the Bush and at Bush Sawmills.)	Employed in all other Districts of Victoria. (Except in the Bush and at Bush Sawmills.)
	£ s. d.	£ s. d.	£ s. d.
(ag) Detail band or jig sawyer if not brazing or sharpening his own saw ..	4 10 0	4 11 0	4 8 0
(ah) Sawyer cutting detail work ..	4 16 0	4 17 0	4 14 0
(ai) Sawyer preparing timber for moulding machines (other than vertical, flat or deep cutting) ..	4 11 0	4 12 0	4 9 0
(aj) Crosscut sawyer, cabinet furniture or joinery work ..	4 10 0	4 11 0	4 8 0
(ak) Crosscut sawyer not provided for elsewhere herein ..	4 4 0	4 5 0	4 2 0
(al) Case or box bench sawyer flattening off and/or crosscut ..	4 0 0	4 1 0	3 18 0
(am) Puller out at log band saw, edging saw, roller re-cut band saw using blade of or over 3 inches in width or circular saw cutting depth of or over 7½ inches ..	4 3 0	4 4 0	4 1 0
(an) Puller out, dogger or wedger up—any breaking down saw ..	4 3 0	4 4 0	4 1 0
Machinists operating the following:—			
(a) Shaper, Boulton's carver, general joiner, wood turner, buzzer (using other than straight irons), Lindemann gluer and joiner ..	5 0 0	5 1 0	4 18 0
(b) Any automatic lathe (including variety turning, copying, spoke turning or any other) or routing machine where the machinist is ever required to set up his machine and grind his knives and cutters and then only from such time as he is required so to act ..	5 0 0	5 1 0	4 18 0
(c) Moulding machine where the machinist is ever required to set up his machine and grind his knives and cutters and then only from such time as he is required so to act ..	4 17 0	4 18 0	4 15 0
(d) Moulding machine where the machinist has not been required to grind his knives and cutters but is at any time required to set up his machine and then only from such time as he is required so to act ..	4 11 0	4 12 0	4 9 0
(e) Moulding machine where the machinist is never required to set up his machine nor to grind his knives and cutters but is merely an operator ..	4 2 0	4 3 0	4 0 0
(f) Planing machine (one, two, three or more heads) or veneer lathe where the machinist is ever required to set up his machine and grind his knives and cutters and then only from such time as he is required so to act ..	4 15 0	4 16 0	4 13 0
(g) Any machine in the last preceding paragraph (other than a single-sided planer in case or box making) where the machinist has not been required to grind his knives and cutters but is at any time required to set up his machine and then only from such time as he is required so to act ..	4 9 0	4 10 0	4 7 0
(h) Tenoning machine where the machinist is ever required to set up his machine and grind his knives and cutters and then only from such time as he is required so to act ..	4 14 0	4 15 0	4 12 0
(i) Tenoning machine or single-sided planer (in case or box making) where the machinist has not been required to grind his knives and cutters but is at any time required to set up his machine and then only from such time as he is required so to act ..	4 6 0	4 7 0	4 4 0
(j) Tenoning machine where the machinist is never required to set up his machine nor to grind his knives and cutters but is merely an operator ..	4 2 0	4 3 0	4 0 0
(k) Buzzer (using straight irons), jointer, carving machine, dovetailing machine (for joinery or cabinet work), cross grainer, lock angle machine or spoke throater where the machinist is ever required to set up his machine and grind his knives and cutters and then only from such time as he is required so to act ..	4 12 0	4 13 0	4 10 0
(l) Dovetailing machine for box or case making where the machinist is ever required to set up his machine and grind his knives and cutters and then only from such time as he is required so to act ..	4 9 0	4 10 0	4 7 0
(m) Any machine in the preceding paragraphs (k) or (l) where the machinist has not been required to grind his knives and cutters but is at any time required to set up his machine and then only from such time as he is required so to act ..	4 4 0	4 5 0	4 2 0
(n) Mortising machine (chain or hollow chisel of any kind or any other), Gaynor machine in case or box making, multiple or single spindle boring machine, slotter, veneer chaff machine or veneer guillotine or clipping machine where the machinist is ever required to set up his machine or to grind his knives and cutters and then only from such time as he is required so to act ..	4 4 0	4 5 0	4 2 0
(o) Any machine in the preceding paragraphs (b), (f), (k) or (n) where the machinist is never required to set up his machine nor to grind his knives and cutters but is merely an operator or feeder of the machine ..	4 0 0	4 1 0	3 18 0
(p) Timber bending machine ..	4 7 0	4 8 0	4 5 0
(q) Sandpaper or emery machine or belt (except belt sanding in the making of plywood) ..	4 7 0	4 8 0	4 5 0
(r) Belt sander in the making of plywood ..	4 4 0	4 5 0	4 2 0
(s) Plywood machine—press operator on ..	4 3 0	4 4 0	4 1 0
(t) Equalizer cutting plywood with parallel saws ..	4 3 0	4 4 0	4 1 0
(u) Box lacing machine ..	4 4 0	4 5 0	4 2 0
(v) Box nailing machine ..	4 3 0	4 4 0	4 1 0
(w) Box printing machine ..	4 2 0	4 3 0	4 0 0
Box, case or crate finisher ..	4 5 0	4 6 0	4 3 0
Box, case or crate maker and/or repairer (manual) ..	4 0 0	4 10 0	4 7 0
Bench hand hoop ironing boxes, cases or crates ..	4 9 0	4 10 0	4 7 0
Corelayer or corefeeder on veneer gluing machine ..	4 3 0	4 4 0	4 1 0
Rigger or tree climber ..	5 1 0	..	..
All others ..	3 16 0	3 17 0	3 14 0

## (b) Special rates—

- (i) The minimum rates of pay of special workers except those provided for in clause 22 (2) shall be as follows:—In all places, 2s. 8d. per hour provided that:—
- (ii) Special work carrying timber or logs off rafts or sunken punts, or carrying or handling timber or logs on any raft, punt, wharf, or dump which has recently been submerged and is in a wet condition therefrom—an extra 6d. per hour.
- (iii) For work prescribed in clause 22 (2) hereof payment shall be made at the rate of 10 per cent. additional to the weekly rate prescribed herein for the class of work performed provided that:—
- (iv) Submerged timber—regular employees carrying off rafts or sunken punts, or carrying or handling on any raft, punt, wharf, or dump, timber which has recently been submerged and is in a wet condition therefrom—6d. per hour extra.

## RATES FOR APPRENTICES AND JUNIOR LABOUR.

- (3) The minimum rates for apprentices shall be as provided in clause 14 hereof and for unapprenticed boys as provided in clause 16 hereof.

## PAYMENT BY RESULTS.

- (a) Subject to the employee receiving at least the minimum time rate an employer may remunerate any of his employees under any system of payment by results based on rates which will enable workers of average capacity to earn at least 10 per cent. in excess of their weekly rates.

- (b) Where an employee works part of a full week at piece-work rates and part at time rates he shall be paid so much as he is entitled to receive under such piece-work rates, plus the proportionate amount which he is entitled to receive under this award at time rates of pay.

- (c) Where an employer has any person working under any system of payment by results referred to in this clause, he shall reduce into writing the terms under which such person is working, and such document shall be signed by such person and the employer. Upon demand by an officer of the union such document shall be shown to him, and he shall be allowed to make a copy of same should he so desire.

## TURNING AND LOADING SLEEPERS.

- (5) When sleepers are being inspected whilst they are being loaded into trucks by piece-workers and, at the request of the employer or of a Government inspector or of the buyer, the sleepers are turned for inspection or re-inspection, the loaders shall receive turning rates whilst turning such sleepers and loading rates whilst loading such sleepers.

## TRAVELLING ALLOWANCE.

- (6) (a) Subject to the following an employee engaged in ordinary travelling on duty or on work on which he is unable to return to his home at night shall be paid such personal expenses as he reasonably incurs in travelling, which expenses shall be taken to be at least 7s. 6d. per day.

- (b) Where such employee travels by boat or other conveyance in which his ticket includes meals and bed he shall not be entitled to the said allowance.

- (c) Where the employer of such employee provides or is willing to provide meals and bed the employee shall have the option of receiving 7s. 6d. per day or accepting the meals and bed provided or offered by the employer.

- (d) This clause shall not apply to workers in the bush or to those ordinarily and usually employed on lighters, punts, or rafts.

## TRAVELLING TIME.

- (7) (a) Subject to the following a weekly employee shall, when he is directed or required to work at a place other than his usual place of work, be paid at ordinary rates for all time occupied in travelling to and from the place at which he is so directed or required to work in excess of the time ordinarily occupied in travelling to and from his usual place of work.

- (b) Each employee in the bush shall have a fixed starting place which shall be the existing starting place.

- (c) New starting places in the bush shall be fixed by agreement between the employer and the union.

- (d) When an employee has a fixed starting point in the bush he shall be paid for all time occupied in travelling between the starting point and the work and for all time in excess of half an hour back from the work to the starting point.

## MIXED FUNCTIONS.

- (8) (a) An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for half or less than half of one day or shift he shall be paid the higher rate for the time so worked.

- (b) Where an employee is transferred without seven days' written notice to a grade of work carrying a lower minimum rate of wage than that at which he is usually employed, he shall be paid, during such seven days or any less time so employed, the rate of wage he was receiving for the work usually performed by him.

- (c) Where an employee is engaged on higher grade work at his own request for the purpose of learning such work, he shall be paid for the time he is so engaged for a period or periods not exceeding fourteen days in all at his usual rate of pay prior to his being so engaged, and thereafter at the rate prescribed for the higher grade work. The employer shall, within one week of the engagement of an employee under this sub-clause, inform the union by registered letter of such employment and the duration of such employment.

## TERMS OF ENGAGEMENT.

- (9) All employees except those engaged on piece-work or on casual work shall be employed on a weekly engagement subject to the following terms:—

- (1) An employee shall perform such work as the employer shall from time to time require on the usual days and within the prescribed hours, provided that until the seven days' notice of transfer to a lower grade, prescribed by clause 8, sub-clause (b) hereof, expires, such work shall in the case of cities and towns be of or be paid for as of a similar class to that usually performed by such employee.

- (2) Employment during the first week of such engagement shall be from day to day at the weekly rate prescribed, except in the case of a re-engagement within one month after the termination of a previous service of the employee under the employer.

- (3) An employee shall be entitled to payment when absent from work consequent upon an accident or ill health (not attributable to his own misconduct) for not more than four days in any year provided that he produces evidence thereof satisfactory to his employer or to such employer's local manager within 48 hours of the commencement of such absence.

Provided that where, under any scheme of insurance or an accident relief or provident fund, to secure the benefit of which the employer has paid the necessary premium or under any Workers' Compensation Act, compensation becomes payable for any of such days of absence, the employer shall not be bound to pay more of such wage than is sufficient with such compensation to make up the full pay for any of such days.

This sub-clause shall not apply to workers employed in the bush or at bush sawmills.

- (4) Subject to the provisions of the two next succeeding sub-clauses a week's notice of the termination of such engagement shall be given to terminate such engagement on the corresponding day of the following week or on any later day thereof and if the employer terminates it without giving such notice he shall pay the employee one week's wages instead.

Provided that in the case of work in the bush and at bush mills such notice may be dispensed with by the consent in writing of the employer and employee.

Provided also that if an employee leave his employment otherwise than in pursuance of such week's notice or of such consent in writing or of dismissal by the employer, the employer may retain any money due by virtue of this award to the employee until the time at which it would have become payable if the employee had not so left.

- (5) The employer may dismiss any employee peremptorily without notice for malingering, inefficiency otherwise than through temporary illness, neglect of duty or misconduct, and pay the employee's wages up to the time of such dismissal only.

- (6) The employer may deduct payment for any day the employee cannot be usefully employed because of any strike by or participation in any strike by the union, by any branch of the union, or by any members or member of the union employed by the employer or because of any strike by or participation in any strike by any other union, branch of any other union or members or member of any other union employed by the employer, or because of any breakdown of machinery, or because of any other stoppage of work for any reasonable cause. The onus of proving reasonableness of the cause shall be on the employers.

- (7) In any case where the wage per hour has to be calculated it is to be the weekly wage divided by the weekly number of hours which obtains in the industry.
- (8) Employer parties may engage employees in box and case factories by the hour and shall pay such employees at a rate per hour proportionate to the weekly wage, plus 10 per cent., with a minimum amount in respect of any employment on a day as for the full day.

## HOURS OF LABOUR.

(10) The standard hours of work in this industry shall be 46 per week:—

- (a) The maximum ordinary working hours of employees shall be 46 per week throughout the industry, provided that where persons are employed in any other industry such persons' hours of work shall be uniform with those prevailing in such industry.
- (b) The daily spread of hours shall be such as may be agreed upon by a majority of the employees and employer concerned in any business and approved of by the State branch of the union. In default of such agreement and approval such hours shall be worked within nine and three-quarter consecutive hours between 7.15 a.m. and 5.30 p.m. standard time on Monday to Friday—one hour or such other time as may be agreed upon being allowed for luncheon between noon and 2 p.m.—and between 7.15 a.m. and 12 noon standard time on Saturday.
- (c) Sub-clause (b) hereof shall not apply to feeders, hookmen, log yardmen, log loaders and log haulers, greasers, bush blacksmiths, sanitary men, and men employed on barges and rivers.
- (d) The hours for shiftmen shall be as prescribed by clause 11 hereof.

## SHIFT WORK.

(11) In the event of more than one shift being worked then each shift—other than the day shift—shall be worked in five equal periods during the week (excluding Sunday), at such hours as may be agreed upon between the employer and employees concerned, provided that the total hours worked in any week on shifts, other than the day shift, shall not exceed 90 per cent. of the ordinary weekly hours prescribed for the day shift.

## HOLIDAYS.

(12) (1) All employees, except piece-workers, bush workers, and bush sawmill employees, shall be entitled to nine holidays with payment therefor in the manner hereinafter prescribed:—Such holidays shall be New Year's Day, 26th January (Australia Day), Good Friday, Easter Saturday, Easter Monday, 21st April (Labour Day), Christmas Day, Boxing Day, and (a) within 25 miles of the General Post Office at Melbourne, Melbourne Cup Day; (b) outside the radius mentioned in 12 (1) (a) Anzac Day, provided that in any year in which Anzac Day falls on a Sunday, King's Birthday shall be observed as a holiday in lieu thereof.

(2) Bush workers and bush sawmill workers, other than piece-workers, grooms, feeders, and watchmen, shall have a full week's holiday at Christmas and four days holiday at Easter, that is to say, Good Friday, Easter Saturday, Easter Monday, and Easter Tuesday.

(3) (i) Except as provided in this sub-clause no deduction shall be made from wages in respect of any of the holidays prescribed in sub-clauses (1) or (2) hereof.

(ii) Subject to observance of the provisions herein set forth for payment to employees in respect of such holidays, the employer may deduct from an employee's wage an amount corresponding with the time which the employee works short because of such holidays. Such provisions are the following:—

- (a) The employer shall for each calendar month of the employment credit in account the employee with one-eighth of the amount of the employee's prescribed weekly rate of wage, except in the case of a groom or feeder or watchman where the amount to be credited shall be one-sixth of the amount of such rate.
- (b) On or before the pay-day next preceding a holiday the amount of time that the employee will work short because of the holiday and the amount which will be deducted from his wage in respect of such working short shall be ascertained.
- (c) If on such pay-day there is standing to the credit of the employee pursuant to the preceding paragraph (a) an amount equal to or exceeding the amount that will be so deducted from his wage, the employer shall on that day pay him an amount equal to that which will be so deducted and the employee's credit shall be reduced by the amount so paid.
- (d) If on such pay-day the amount standing to such credit is less than the amount which will be so deducted, the employer shall on that day pay to the employee the amount then standing to such credit, which credit shall be reduced by the amount so paid.
- (e) If on such pay-day there is nothing standing to such credit nothing shall be payable in respect of such holiday.
- (f) On the first pay-day after the expiration of each twelve months of service of the employee the amount (if any) then standing to such credit shall be paid to him and such credit shall be reduced by the amount so paid.
- (g) On the determination of the employee's service the amount (if any) then standing to such credit shall be paid to him.

(4) *Optional Holiday.*—On or before the 7th day of December in each year the union shall give the employer written notice of the number and names of his employees who do not intend to work during the working days between Christmas and New Year's Day. In default of such notice the employer may circularize his employees to obtain such information, and the employees intending not to work on such days shall inform the employer on or before the 14th day of December accordingly.

If the number of employees, whether members of the union or not, who inform the employer either by means of the union or otherwise that they do not intend to work on such days exceeds 33 per cent. of all the employees, whether members of the union or not, in the employer's business, then the employer may, if he chooses, close down his business on those days; provided that he gives notice to his employees on or before the 21st day of December that he intends to do so. Where such number of employees is 33 per cent. or under, then the employer shall keep his business open for work on such days. Where the business is kept open for work, the employer may require the employees presenting themselves for work to work in any capacity he may appoint, provided that the employees shall be paid at their ordinary rates for such work as they are called on to do.

If any employee whose name has not been submitted by the union as provided herein, or who has not informed the employer on or before the 14th day of December that he does not intend to work on the days in question, absents himself from work when the business is open for work on such days, then such employee shall be guilty of neglect of duty within sub-clause (5) of clause 9 hereof. An employee not working on the days in question shall receive no pay therefor.

(5) The employee shall be entitled only to the holidays prescribed herein notwithstanding anything contained in or under any State Act of Parliament creating or proclaiming any other holiday or holidays.

(6) (i) For the purposes of this clause calendar months shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month, and if there be no such day in such subsequent month, shall be reckoned as ending at the end of such subsequent month.

(ii) For the purposes of this clause in the case of employment already existing the day of the coming into operation of this Determination shall be deemed to be the first day of the employment.

## (13)

## OVERTIME.

(a) Subject to the following all time worked outside the spread of hours prescribed in clauses 10 and 11 hereof or in excess of the ordinary daily or shift number of hours prescribed therein or elsewhere shall be paid for as overtime at the rate of time and a half for the first two hours, and double time thereafter. Work performed during the meal hour shall be paid for at double time rates, but where the total hours worked, including such meal time, do not exceed the prescribed number of hours, then such double time shall be deemed to mean an additional ordinary rate only.

(b) All work performed by a piece-worker before or after ordinary hours of work on the instruction of his employer shall be paid as overtime at the rate of time and a half for the first two hours and of double time thereafter.

(c) Except where it is otherwise prescribed, all time worked by employees on the holidays to which they are entitled under this Determination shall be paid for proportionately, in addition to the indirect payment or to the payment by written agreement for holidays prescribed in clause 12 hereof, at the ordinary rates; and on Sundays shall be paid for at proportionately double rates. Provided that in the case of work done on either a Sunday or holiday payment shall be made for two hours at the least at such double rates.

(d) All work performed by a piece-worker on Sundays on the instructions of his employer shall be paid for at the rate of double time.

(e) All time worked by employees on Sundays or holidays prescribed herein in maintaining or effecting repairs or renewals to plant or machinery, including the washout of boilers, which it is necessary to effect to enable work to proceed on the next working day shall be paid for, in the case of Sundays, at the rate of time and a half, and in the case of such holidays at ordinary rates in addition to the indirect pay or to the pay under written agreement for such holidays allowed in clause 12 hereof.

(14)

## APPRENTICES.

(1) The following sub-clauses apply only to city and town sawmills, shops, and factories.

(2) *Machinists*.—The employer shall employ at least one apprentice and not more than two apprentices to each six journeymen employed by him at full rates under this Determination; but may employ one apprentice if he so employs four journeymen. For the purpose of calculating the number and proportion of apprentices under this sub-clause, the following shall be journeymen:—Machinists on shaper, routing machine, general joiner, Boulton's carver, buzzer, moulding machine, planing machine, Lindemann gluer and jointer, tenoning machine, jointer, woodturners and grinders of knives and cutters, and any working proprietor working on any of such machines.

(3) *Sawyers*.—The employer may employ one apprentice when there are one or more journeymen employed by him at full rates under the Determination, but he shall not employ more than two apprentices to each six journeymen so employed. For the purpose of calculating the number and proportion of apprentices under this sub-clause, the following shall be journeymen:—Sawyers of any sort and saw sharpeners.

(4) *Saw Doctors*.—The employer may employ one apprentice to each saw doctor.

(5) Apprentices shall be apprenticed in accordance with a form of Indenture prescribed by the Board.

(6) Apprentices shall be apprenticed if under the age of eighteen years for a period of five years, and if eighteen years of age for a period of four years.

(7) The minimum rates of weekly wage to be paid to apprentices shall be as follows:—

For a five-year term—

	s.	d.
1st year .. .. .	15	0
2nd " .. .. .	20	6
3rd " .. .. .	30	6
4th " .. .. .	50	0
5th " .. .. .	63	0

For a four-year term—

	s.	d.
1st year .. .. .	18	0
2nd " .. .. .	30	0
3rd " .. .. .	50	0
4th " .. .. .	63	0

Where an apprentice is under the age of 21 years on the expiry of his apprenticeship he shall be paid 4/5ths of the journeymen's time wage until reaching the age of 21 years.

(8) A boy about to be apprenticed shall, if the employer require it, furnish a certificate or statutory declaration as to his age, and the employer may rely on such certificate or declaration unless or until he has notice of its inaccuracy.

(9) An apprentice under sub-clause (2) hereof shall be instructed in and properly taught and practised in the work of at least three of the following:—Shaper, routing machine, general joiner, Boulton's carver, buzzer, moulding, planing, Lindemann gluer and jointer, tenoning and jointer machines; wood turner, and in the setting up of and grinding of knives and cutters for those machines in which he is instructed, taught, and practised; provided that any such group shall include at least one of the following:—Shaper, general joiner, Boulton's carver, buzzer (using other than straight irons), Lindemann gluer and jointer or wood turner.

(10) An apprentice under sub-clause (3) hereof shall be instructed in, and properly taught and practised in, the work of sawing ordinarily and usually done in a sawmill, and in the work of setting and sharpening saws.

(11) An apprentice under sub-clause (4) hereof shall be instructed in, and properly taught and practised in, the work of repairing and putting saws in perfect order and saw hammering.

(12) Where it is desired that an apprentice be instructed in, taught, and practised in any machine or machines not included in sub-clause (9) hereof, it may be so agreed with the consent of the union, provided that the apprentice be instructed in, taught, and practised in at least two of the machines referred to in that sub-clause in addition.

(13) During the first two years of apprenticeship the employer shall allow the employee one half-day per week for the purpose of attending Technical School where a Technical School is available.

(14) An employer requiring an apprentice to work overtime shall pay to such apprentice double rates for such overtime, provided no apprentice shall be required to work overtime for more than eight hours on such overtime in any one week, or more than sixteen hours in any four weeks, and provided that such work during such overtime shall not prevent the apprentice attending at any Technical School.

If the apprentice be willing to work on, and the employer desires to employ him on a holiday, then the employer may do so but must pay the apprentice double rates for such work. The work on such holiday shall not exceed the ordinary hours of work, and shall not be included in the calculation of eight and sixteen hours in the last preceding paragraph mentioned.

(15) An employer may employ a boy with a view to apprenticing him for a period of three months on probation, provided that if the boy shall then be indentured, such three months shall count as part of his apprenticeship. Within fourteen days of a boy being placed on probation for apprenticeship the employer shall notify the union by registered letter of such employment.

(15)

## IMPROVERS AND JUVENILE WORKERS.

(1) The proportion of improvers who may be employed shall not exceed one improver to every four workers receiving not less than the minimum wage.

(2) Juvenile workers under 21 years of age may be employed at the following classes of work, provided that in any place the proportion of juvenile workers shall not exceed four juvenile workers to each employee receiving not less than the minimum wage:—

- (i) Boring, assembling, sanding or finishing textile bobbins, or carrying or transporting wooden articles within textile bobbin factories.
- (ii) Feeding timber not exceeding 2-in. square into magazine for automatic machine, or performing any work in connexion with the manufacture of golf tees.
- (iii) Counting or packing bobbins, golf tees, or other small wooden articles, or sweeping up shavings or other refuse, or cleaning up factories.
- (iv) Making wooden articles on "Polly" turning lathe or other similar rotary cutting lathe.
- (v) Feeding automatic machine for the manufacture of shives.
- (vi) Assembling all classes of wood veneer containers, such as strawberry boxes or punnets, fruit containers (not being cases or confectionery boxes).
- (vii) Performing any of the following work in factories manufacturing electrical woodware:—  
Staining, wrapping, counting, picking up blocks and stacking, sanding round blocks, cutting out backs, beading, cutting out round blocks, filling magazines, placing blocks in round forming machine, feeding burnishing machine, feeding nailing machine, tying up, rumbling, placing wooden bushings into machine for threading.
- (viii) Performing any of the following operations in connexion with the manufacture of tennis rackets:—  
Bumping grooves in bow, weighing frames, knurling handles of frames, cleaning glue off clamps, glueing, dowels in frames, counting and packing handle flakes, wood faces, overlays, &c., glueing paper to sand discs, grinding off screws, weighing, counting and stacking ash strips, marking bows for drilling, gouging stringing holes, bumping edges of grooves, countersinking stringing holes, removing frames from glue clamps, making lead weights.
- (ix) Drilling, pointing, boring, slotting, threading, assembling, sanding, painting, varnishing, lacquering, or similar finishing any other small article of wood.

(3) The minimum rates of weekly wage to be paid to unapprenticed boys shall be as follows:—

	s.	d.
Up to 16 years of age .. .. .	18	0
16-17 years of age .. .. .	22	6
17-18 years of age .. .. .	31	6
18-19 years of age .. .. .	40	6
19-20 years of age .. .. .	54	0
20-21 years of age .. .. .	57	0

(4) When any boy is engaged he shall, if the employer requires it, furnish a certificate or statutory declaration as to his age, and the employer may rely on such certificate or declaration until or unless he has notice of its inaccuracy.

## (16) SAWYER TO HAVE PULLER OUT.

No sawyer shall work or be required to work a running out saw bench cutting over 3 feet 6 inches in length without a puller out.

## (17) TOOLS TO BE SUPPLIED.

Employees other than millwrights, mantelpiece-makers, and piece-workers shall be supplied by the employer with all necessary tools, implements, and plant.

## (18) PROTECTIVE COVERING.

Water dogman and river logman shall be paid 6d. per week in addition to their ordinary wage for the cost of waterproof coats and boots.

## (19) TRANSPORT OF EMPLOYEE.

Where means of transport to the bush or bush sawmills is provided by the employer, on the termination of service of an employee, the employee, his family and his goods and chattels shall be transported free of charge within 48 hours of receipt by the employer of notice that such transport is required. But an employee shall not be entitled to free transport on a route along which the public is regularly transported for payment; on the other hand he shall not be charged a rate on such route in excess of that regularly charged to the public.

## (20) TIME BOOKS AND INSPECTION.

(a) The employer shall keep a time book or sheets or cards with entries typed, or perforated, or written in ink showing the names of his employees, the number of hours worked by each, the rate of pay and the wages payable and paid to each employee.

(b) The secretary or branch secretary or any officer of the union on production of an authority to the employer, his local manager or the person who purports to be in charge, shall be allowed at all reasonable times to inspect such time book, sheets, or cards, and to make a copy of the same. Such time book, sheets, or cards for the last preceding twelve months shall be kept available for this purpose.

(c) The secretary or branch secretary of the union or any officer of the union shall, on production of an authority to the employer or his local manager, be allowed at all reasonable times to inspect any part of an employer's works where it is suspected that a breach of this Determination has occurred or is occurring, but such inspection shall be carried out in the company of the employer or some one on his behalf. The employer shall provide the necessary facilities for the investigation of the breach or the supposed breach of this Determination including access to the time book, sheets, or cards referred to above. The union officers shall not interfere with or inconvenience the work and duties of the men more than is absolutely necessary for the proper investigation of the breach or supposed breach of this Determination.

## (21) RIGHT OF ENTRY OF UNION OFFICIALS.

The secretary or branch secretary or any officer of the union shall have the right to enter employers' working establishments, during the meal time, for the purpose of interviewing employees on legitimate union business, on the following conditions:—

- (a) That the representative produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (b) That the representative interviews employees only at the places where they are taking their meals.
- (c) That not more than two such representatives shall at any one time visit or be in any one working establishment and if there are two representatives they shall both be there at the same time.
- (d) That if a working establishment shall have been visited by any such representative during a week it shall not be visited afterwards during the same week by any such representative.
- (e) That if any employer alleges that a representative is unduly interfering with his working establishment, or is creating disaffection amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry.
- (f) Any unreasonable delay in allowing officers of the union into the premises shall be regarded as a breach of this Determination.

## (22) PROVISIONS RELATING TO SPECIAL WORK.

Special work means the following work performed by an employee (other than a regular employee) employed by the hour:—

- (1) Receiving timber from any vessel or wharf for delivery into any yard, mill, railway truck, or other place; the delivery of timber received from any vessel or wharf directly into any yard, mill, railway truck, or other place and thereupon stacking; receiving timber at any yard, mill, railway truck, or other place for delivery to any wharf or vessel, and the delivery of such timber to any vessel or wharf and thereupon stacking.
- (2) Receiving timber at any railway truck or siding and its delivery into any yard, mill, or place (other than vessel or wharf) and thereupon stacking; delivering timber from any yard, mill, or place (other than vessel or wharf) into any railway truck or siding and thereupon stacking or loading, which work shall be paid for at the rate of 10 per cent. additional to the weekly rate prescribed herein for the class of work performed.
- (3) Where a weekly employee is put on to that work expressly defined by clause 22 hereof as special work, he shall, if he is discharged within four weeks of his being put on to such work, have his pay calculated according to the rates provided in this Determination for special work for the time he is so engaged, and shall be paid any back pay due to him forthwith on his discharge or within fifteen minutes thereof.
- (4) Unless otherwise agreed upon with the consent of the State branch of the union the wages of special workers shall be paid at least once a week or if the work should finish before the end of any week then at the end of the job.
- (5) Where an employee doing special work provided for in clause 2 (b) or clause 22 hereof is kept waiting after his discharge for his pay for more than fifteen minutes through default of the employer the employee shall be paid at overtime rates for all time from the time of his discharge until he is paid.
- (6) One hour or such other time as may be agreed upon shall be allowed for meals except in a case of urgency or except where not more than half an hour is required to finish a job. Except in such cases no special worker shall be called upon to work during the meal hour unless he consents to do so. Where a special worker works during the meal hour he shall be paid for the time worked at the rate of 2s. 8d. per hour in addition to the ordinary rate for such period.
- (7) A special worker having begun work shall not, without reasonable cause or excuse, be dismissed or cease work until the job is finished. The burden of establishing such reasonable cause or excuse shall in every legal proceeding be upon the party alleging such reasonable cause or excuse.
- (8) Any special worker engaged for work shall be paid for at least two hours if not put to work.

## (23) DEFINITIONS.

In this Determination, unless the contrary intention appears:—

- (a) "Millwright" shall mean and include an employee who installs machinery in a sawmill.
- (b) "Leading hand" means an employee who, while he is working, has under his charge or control any adult person or persons not apprentices or improvers who are performing the same class of work as himself, and who has been appointed by the employer to take such charge or control. This definition does not apply to engine drivers, firemen, or greasers. A leading hand shall receive 1s. per day in addition to his ordinary rate.
- (c) "Main docker" means the docker, in a mill where there are two or more dockers, at which most timber is docked. In mills where the breaking down bench feeds two benches with approximately equal quantities of timber, the two dockers shall be rated as main dockers.
- (d) "Measurer": See "Tallyman or measurer".
- (e) "Mixed industry" shall mean an employer's industry where the work performed by an employee as herein defined is subsidiary and ancillary to the chief and principal purpose and business of such industry.
- (f) "Orderman" means an employee who is responsible for the selection, allotment, and measuring of orders for delivery and/or for the execution of orders for delivery.  
The word "order" in this definition shall mean the demand of a customer or of the employer, or some one on his behalf to the orderman for an expressed size and class, or expressed sizes and classes of timber.
- (g) "Tallyman or measurer" is an employee who by measuring and/or calculating quantities keeps an account of timber, and does not include one who merely measures lengths of timber, or merely counts timber by pieces.

- (h) "Tramway builder or repairer" means an employee engaged in the work of tramway construction and maintenance, but does not include the work of clearing the track and forming the permanent way, or the work ordinarily performed by a fettler.
- (i) "Union" means the Australian Timber Workers' Union.
- (j) "Year" means a year commencing the 23rd day of January in each year.
- (k) "River logman" means an employee usually and ordinarily engaged on or in connexion with any barge, raft, or punt on any river, in loading, discharging, or bringing logs, piles, hewn or sawn timber to or from any mill or depot.

(24) CLASSIFICATION OF SAWN BENCHES.

The following provisions shall apply to log sawmills:—

- (a) A breaking down bench shall include a circular saw, a band saw, twin saws, horizontal saw, or vertical saw when any of such saws is used for the purposes of reducing a log to flitches.
- (b) A No. 1 Bench shall mean any bench which takes flitches 3 inches thick or over from the breaking down bench.
- (c) A No. 2 Bench shall mean any bench which is fed directly from a No. 1 Bench, and which is not being used as a picket bench within sub-clause (e) hereof.
- (d) A No. 3 Bench shall mean any bench which is fed directly from a No. 2 Bench, and which is not being used as a picket bench within sub-clause (e) hereof.
- (e) A No. 4 Bench shall mean a bench on which timber is cut into pickets, laths, droppers, palings, staves, or other small sizes which small sizes do not exceed 3 inches by 1½ inches by 9 feet or the equivalent in section by 9 feet.

(25) MEASURING LOGS.

All logs felled or hauled at piece-work rates shall be measured at the mill landing. Particulars of the logs so measured shall be given to the piece-worker at least once a fortnight unless otherwise agreed upon by the employer and employee, and such particulars shall set out the name of the mill supplied, the name and names of the employees, the date, the brand, the length, the girth, and the cubic feet of such logs. Provided that in respect of measuring red gum logs an agreement may be entered into between the State Branch of the Union and employers.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 29th November, 1937.