



VICTORIA GOVERNMENT GAZETTE.

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[1938

Factories and Shops Acts.

DETERMINATION OF THE PAINTERS BOARD.

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

(2) Painting, Decorating, and Signwriting were proclaimed on 23rd November, 1928, as apprenticeship trades under the "Apprenticeship Act 1923" for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne Street, Melbourne. (Price 3d.)

IN THE COURT OF INDUSTRIAL APPEALS:

IN the matter of the Factories and Shops Acts.

and

In the matter of an Application for a revision of the Determination of the Court of Industrial Appeals (Painters) dated the 12th October, 1937.

Wednesday, the 20th day of July, 1938.

(Before His Honour Mr. Justice Macfarlan, Mr. Frederick Handel Bowditch, and Mr. Thomas Henry Quantock.)

The above-mentioned Application coming on for hearing by this Court on the 2nd and 10th June, 1938, and this day. UPON READING an affidavit by Mr. C. Whitford, and UPON HEARING Mr. C. Whitford, Secretary of the Operative Painters and Decorators Union and witnesses for the employees, and Mr. T. Bishop, Secretary of the Master Painters Decorators and Signwriters Association of Victoria and witnesses for the employers: THIS COURT BOTH ORDER AND DETERMINE:—

(1) That on the 6th August, 1938, the Determination of the Court of Industrial Appeals dated the 12th day of October, 1937, shall be revoked and replaced by this Determination as to the lowest prices or rates which may be paid to any persons employed in the process, trade or business of—

- (a) Painting, other than ship painting or painting under the jurisdiction of any Wages Board heretofore appointed or hereafter to be appointed;
- (b) Paperhanging;
- (c) Sign or poster writing, and any work incidental thereto;
- (d) Producing signs or posters by means of stencils, screens, or other like methods, and any work incidental thereto—

Apprentices or Improvers.				Juvenile Workers, i.e., Persons under 21 years of Age (other than Apprentices or Improvers) engaged in producing Signs or Posters by means of Stencils, Screens, or other like methods, or at any work incidental thereto.
		WAGES.		
		Per week of 48 hours.		Per week of 48 hours.
		<i>s. d.</i>		<i>s. d.</i>
1st year's experience		17 0		1st year's experience
2nd " "		21 6		2nd " "
		Per week of 44 hours.		
		<i>s. d.</i>		<i>s. d.</i>
3rd " "		29 9		3rd " "
4th " "		41 6		4th " "
5th " "		51 9		5th " "
				Per week of 44 hours.
				<i>s. d.</i>
				29 9
				41 6
				51 9
PROPORTION (BY ANY EMPLOYER).				
<i>Apprentices.</i>				
One apprentice to every three journeymen or fraction of three journeymen employed.				
In cases where not more than three journeymen are employed at the trades, a second apprentice may be employed on the completion by the first apprentice of the second year of his apprenticeship course.				
<i>Improvers.</i>				
One improver to three .. ..	.. ..	.. ..	}	workers receiving not less than 108s. 2d. per week of 44 hours.
Two improvers to six .. ..	.. ..	.. ..
Three improvers to twelve, and there-	.. ..	.. ..
after one additional improver to every	.. ..	.. ..
twelve additional .. ..	.. ..	.. ..
PROPORTION.				
(a) Where one screen table is in operation—				
Two juvenile workers to each person receiving not less than 108s. 2d. per week of 44 hours.				
(b) Where two or more screen tables are in operation—				
For each two screen tables, four juvenile workers to each two fully-paid workers, provided that one of such fully-paid workers shall receive not less than 108s. 2d. per week of 44 hours.				

* See Note 2 above. The employment, within the Metropolitan District, of any improver is illegal.

OTHER EMPLOYEES.

	WAGES.	
	Per hour.	Per week of 44 hours.
(A) All classes of work, other than the production of signs or posters by means of stencils, screens, or other like methods. Persons employed at— Sign or poster writing, graining or painting, or paperhanging, or at any other work specified in (A)	s. d. 2 5½	s. d. 108 2
(B) Producing signs or posters by means of stencils, screens, or other like methods, or any work incidental thereto. Persons employed at— (i) Signwriting designing, forming or lettering any pictorial design, including the cutting of stencils (ii) Any other work specified in (B)	Per week of 44 hours. s. d. 108 2 77 0	
Leading Hand, i.e., a tradesman who is given responsibility of direction and supervision of the work by his employer or by his employer's responsible representative of not fewer than five tradesmen	} 1s. per day in addition to the ordinary rate.	

(3) **TIMES OF BEGINNING AND ENDING WORK.**—The times of beginning and ending work for any person (other than an apprentice or improver in his 1st or 2nd year at the trade) shall be—

Time of Beginning.	Time of Ending.
8 a.m.	12 noon on Saturdays, and
8 a.m.	12 noon } on the other working days of the week (luncheon
1 p.m.	5 p.m. } hour being from 12 noon to 1 p.m.)

(4) **OVERTIME.**—The following rate shall be paid for all work done :—

Outside the times of beginning and ending work as fixed in Clause (3) } Time and a half.
 Within the times of beginning and ending work, in excess of 44 hours in any week }

(5) **SPECIAL RATES.**—Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day (21st April), Christmas Day, or 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 be payable only for work done on the day so substituted.

(6) **ALLOWANCES.**—The following extra rates shall be paid to any person on all work distant from a centre :—

- (a) 1½ miles and up to 3 miles, ¼d. per hour extra;
- (b) Over 3 miles and up to 5 miles, 1d. per hour extra;
- (c) Over 5 miles and up to 12 miles, 1½d. per hour extra;
- (d) More than 12 miles, and the employee is—
 Conveniently able to return to his home the same night .. 2½d. per hour extra.
 Not conveniently able to return to his home the same night and suitable board and lodging is not provided by the employer 7½d. per hour extra with a maximum of 5s. per day.
 Time occupied in travelling during working hours shall be paid for at ordinary wages rates.
 "Centre" shall mean the employer's usual place of business.

(7) **SWING SCAFFOLD WORK.**—Any person working on a swing scaffold shall be paid, for the time so spent, at the rate of 1½d. per hour in addition to the ordinary wage.

(8) **PAYMENT OF WAGES :—**

- (a) If employment is terminated by discharge, whether by notice or otherwise, all wages due up to the time of ceasing work shall be paid immediately on cessation of work.
- (b) Except as provided in the preceding sub-clause, wages due for work done within 5 miles of the centre shall be paid not later than 5 p.m. on Friday at the place where the employee is then working. Provided that, alternatively, the employee shall be allowed time off to collect his wages.
- (c) Except as provided in sub-clause (a), wages for other work shall be paid by mutual agreement between the employer and employee.

(9) **TOOLS AND APPLIANCES :—**

- (a) Each painter shall provide himself with an ordinary dusting brush and all necessary stripping and stopping knives, hammer, hacking knife, screwdriver, and glazing knife.
- (b) Each paperhanger shall provide himself with a lay-brush, scissors, rule, plumb-bob, chalk-line, and trimming knife (if he requires such an instrument), and also with surface and joint rollers.
- (c) Each signwriter shall provide himself with a mahl-stick, rule, straight-edge, chalk-line, pencils and gilding cushion, mop, knife and tip.

If any employee is required to provide any tools or appliances other than those above enumerated, 6d. per hour in addition to the ordinary rates fixed by this Determination shall be paid by the employer. The employer shall supply all tools necessary for the use of apprentices.

(10) **MEAL MONEY.**—Any employee who is called upon to work overtime for over two hours without receiving notice of such overtime on the previous day, shall be paid an allowance of one shilling for a meal, or shall be supplied by the employer with a reasonable meal in lieu thereof.

(11) **SUPPLY OF HOT WATER.**—Except in the case of work on private dwellings, the employer shall provide facilities to enable the employee to obtain an adequate supply of hot water at lunch time.

(12) **CARE OF EMPLOYEE'S TOOLS.**—The employer shall take the same measures to ensure the safety of the employee's tools as he does to protect his own.

By the Court.

H. N. JONES,
Registrar.