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THURSDAY, MAY 18.

[1939

Factories and Shops Acts.

DETERMINATION OF THE CEMENT 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 January, 1939, by the Cement Board, and published in the *Government Gazette* on the 3rd February, 1939, hereby issue an adjusted determination showing the adjusted wages rates to be paid to any persons employed in the trade of—

- (1) Making Portland Cement;
(2) Quarrying or preparing the raw materials therefor.

(1) The adjusted rates herein shall be paid as from the beginning of the first pay period to commence in June, 1939.

(2)

Apprentices and Improvers.			Other Employees.		
	CEMENT WORKS.	QUARRIES.	CEMENT WORKS.	Wages per week of 44 hours.	
	Wages per week of 44 hours.	Wages per week of 44 hours.		Employed Continuously on Day Shift.	Employed Alternately on Two or Three Shifts.
Under 16 years of age ..	30s. 9d.	35s. 3d.	Cement Burners .. ..	..	104s. 9d.
" 17 " " ..	39s. 0d.	43s. 6d.	Testers on Slurry Controls ..	..	102s. 3d.
" 18 " " ..	46s. 0d.	51s. 0d.	Millers (new plant) ..	..	101s. 0d.
" 19 " " ..	54s. 9d.	60s. 0d.	Millers (old plant) ..	..	99s. 0d.
" 20 " " ..	62s. 6d.	67s. 3d.	Fuller Coal Millers (old plant)	..	101s. 0d.
" 21 " " ..	71s. 0d.	75s. 3d.	Coal Driers (old plant) ..	..	101s. 0d.
PROPORTION (in any factory or place).			Loaders in railway trucks at		
			bagging sheds	95s. 0d.	..
			Machine Bag Fillers	95s. 0d.	..
			Stackers	90s. 0d.	..
<i>Apprentices.</i>			Electrostatic Precipitator		
One apprentice to every three or fraction of three workers			Attendant (new plant) ..	..	99s. 3d.
receiving not less than the minimum wage.			Electrostatic Precipitator		
			Attendant (old plant) ..	..	94s. 9d.
			Rubber Band Attendants ..	90s. 0d.	92s. 9d.
			Slurry Tank Attendants (new		
			plant) .. ..	..	98s. 9d.
<i>Improvers.</i>			Mammoth Crusher Attendant		
One improver to every five or fraction of five workers receiving			(new plant)	95s. 0d.	97s. 9d.
not less than the minimum wage.			All others	87s. 0d.	89s. 9d.

QUARRIES.	Wages per week of 44 hours.		
	Batesford.		Elsewhere within the Area to which the Determination applies.
	Day Shift.	Afternoon or Night Shift.	
Powder Monkeys	106s. 0d.	111s. 0d.	99s. 0d.
Jack Hammermen	106s. 0d.	111s. 0d.	99s. 0d.
Platelayers.. .. .	103s. 0d.	108s. 0d.	96s. 0d.
Bankmen.. .. .	101s. 0d.	105s. 9d.	94s. 0d.
Underground Drainers	130s. 6d.	131s. 3d.	..
Underground Quarrymen	109s. 0d.	109s. 9d.	..
Pump Attendants	106s. 0d.	106s. 9d.	..
Signal Attendants	99s. 6d.	100s. 3d.	..
All others	94s. 0d.	98s. 6d.	87s. 0d.

(3) EXTRA RATES.—(a) Any person in Cement Works who is employed to re-line kilns or mills or who is required to work in Cement, Clinker, or Slurry Silos, shall be paid 8d. per hour in addition to the ordinary rate.

(b) Any person employed as an Underground Quarryman shall, when it becomes necessary for him to work in wet conditions, be paid 1s. per day extra.

(c) Any person employed on refractory work on new kilns shall be paid 6s. per week above the minimum wage.

(4) SHIFTS —(a) The hour of beginning and the hour of ending each shift shall be as follows :—

	Time of beginning not earlier than :—	Time of ending not later than :—
Day Shift	7.30 a.m.	5 p.m.
Afternoon Shift	4 p.m.	2 a.m.
Night Shift	12 midnight	8 a.m.

Provided that the hours of work on Saturday in Cement Works for persons employed continuously on day shift shall be as follows 7.30 a.m. 12 noon.

(b) The higher rate to be paid for each hour or fraction of an hour worked by an employee, other than an Underground Drainer, before or after his shift, shall be time and a half.

(5) COAL HANDLING.—Persons employed handling coal at siding shall, for the first twenty-four hours of any week, be paid at the rate of 2s. 1½d. per hour, and for each hour thereafter at the rate of 1s. 9¼d. per hour.

For the purpose of this clause the week shall consist of seven days commencing on the particular day on which an employee starts work.

(6) SPECIAL RATES.—Time and a half shall be the rate payable for all work done by persons (other than Underground Drainers), on Sundays, and by all persons on New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day and 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.

(7) ANZAC DAY.—Where the incidence of Anzac Day is such as to prevent an employee from working his ordinary normal hours of work, then he shall be paid for the time so lost.

(8) SICK LEAVE.—Where an employee is disabled by personal ill-health, proof of which sickness is given to the employer by medical certificate or other satisfactory evidence within 24 hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay to absent himself from work one day in each two months, or for a proportionate aggregate in a longer period, but not exceeding six days in any year of employment.

(9) RIGHT OF ENTRY OF UNION OFFICIALS.—A duly accredited representative of the Australian Worker's Union not more than once a fortnight shall have the right to enter during the midday meal hour, the portion of any employer's establishment in which any of the classes of labour covered by this Determination are employed for the purpose of interviewing employees on legitimate union business.

If any representative is unduly interfering or is creating disaffection amongst the employees or is offensive in his methods, the employer may refuse the right of entry.

F. A. MARZORINI,
Secretary for Labour.

Melbourne. 16th May, 1939.

- (3) HOURS.—The number of hours to constitute an ordinary week's work shall be 44.
- (4) TERMS OF ENGAGEMENT.—(a) Engagement may be by the week or by the hour. If by the week it shall be terminable on either side by a week's notice, which may be made to expire at any time during a week of the employment.
- Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled to payment in respect of wages only up to such time of dismissal.
- (b) If an employee engaged by the week absents himself from work his wages shall be subject to a deduction for the time so absent.
- Provided that if within twenty-four hours of the commencement of such absence he forwards or produces a certificate from a medical practitioner, or other evidence satisfactory to the management that his absence is reasonably justified by ill-health, his wages shall be free of such deduction for a period of four days in any one year.
- (c) If engagement is by the hour, the rates of wages shall be increased by 5s. per week to cover payment for holidays and sick leave, but such amount shall not be taken into consideration when computing overtime, Sunday and holiday rates.
- (5) SHIFTS.—That—
- (a) The hour of beginning and the hour of ending each shift shall be as follows :—
- | Where one shift is worked— | | Time of Beginning. | Time of Ending. |
|--------------------------------|---------|--------------------|-----------------|
| Monday to Friday (day shift) | .. .. . | 8 a.m. | 5 p.m. |
| Saturday (day shift) | .. .. . | 7.45 a.m. | 11.45 a.m. |
| Where two shifts are worked— | | | |
| Monday to Saturday (day shift) | .. .. . | 6.30 a.m. | 2.30 p.m. |
| " " (afternoon shift) | .. .. . | 2.30 p.m. | 10.30 p.m. |
- Any of the above times of beginning and ending may be varied on any job by mutual consent of the employer and the majority of the employees, but in no case shall the total length of any shift be increased.
- (b) The higher rate to be paid for each hour or fraction of an hour worked by any employee before or after his shift shall be time and a half for the first four hours, and thereafter double time.
- (6) HOLIDAYS.—(a) An hourly employee shall be entitled to receive the following holidays without pay :—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the day so substituted shall be observed.
- (b) An employee on weekly engagement shall be entitled to the above-mentioned holidays without deduction of pay.
- (7) SPECIAL RATES.—All time worked on Sundays or on any of the holidays prescribed herein shall be paid for at the rate of double time.
- "Rate of double time" for weekly employees shall mean as to the holidays set out an extra payment at the ordinary rate in addition to the rate ordinarily receivable.
- (8) WET WORK RATE.—Men who in the ordinary course of their work are—
- | | | |
|--|---------|--|
| (i) Wetted from feet to knees | | } shall be paid 1s. per day or portion of a day extra, irrespective of whether rubber boots are worn or not. |
| (ii) Working on rafting or staging awash | | |
- (9) MEAL ALLOWANCE.—An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work shall either be supplied with a meal by the employer or paid 1s. 6d., or if the work extends into a second meal hour, 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their work and who can reasonably return home for meals.
- (10) LIVING ALLOWANCE.—Where employment necessitates the absence of an employee from the usual place of residence for more than a period of 24 hours he shall be entitled to an allowance of 12s. per week.
- (11) HOT WATER.—The employer shall make provision where practicable for the supply of hot water during meal hours.
- (12) CHANGING TIME.—When an employee, in the course of his work, falls or is knocked into water, not more than one hour without deduction of pay shall be allowed to enable him to change into dry clothing.
- (13) MIXED FUNCTIONS.—Where an employee is required to do, and does on any one day for a time exceeding four hours in the aggregate, work for which a higher rate is prescribed than for other work done by him on that day, he shall be paid at not less than such higher rate for all work done by him on that day.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 16th May, 1939.