



VICTORIA GOVERNMENT GAZETTE.

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No. 269]

FRIDAY, SEPTEMBER 1.

[1939

Factories and Shops Acts.

DETERMINATION OF THE CHAR WORKERS BOARD.

NOTE.—This Determination on the 5th September, 1939, applied to the following parts of Victoria, namely:—The Metropolitan District and the Geelong District as defined in the Factories and Shops Acts and the Order in Council thereunder; such portion of the City of Sandringham as is not included within the Metropolitan District; the cities of Ballarat, Bendigo, and Warrnambool; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, which since the 18th June, 1929, has had the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the jurisdiction of the Boarding Houses Board, of the Hospital and Benevolent Asylum Attendants Board, or of the Hotel and Restaurant Board) employed at office cleaning or general cleaning work of a like character *in or about any building* in which any process, trade, business, or occupation is carried on for profit," has made the following Determination, namely:—

(1) That on the 5th September, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Improvers.				Other Employees.			
MALES.				WAGES.*			
WAGES.				Males.			
			Per week of 46 hours. s. d.				Per week of 46 hours. s. d.
Under 19 years of age	..	..	32 0	Office cleaners or general cleaners in charge of—			
19 and under 20 years of age	..	..	40 0	4 or more office cleaners or general cleaners	..	108	6
20 years of age	..	..	47 0	1, 2, or 3 office cleaners or general cleaners	..	97	0
				Other office cleaners or general cleaners	..	86	0
PROPORTION.				Females.			
Improvers.							Per week of 44 hours. s. d.
One male improver to every five male workers receiving not less than 86s. per week of 46 hours.				Office cleaners or general cleaners in charge of—			
FEMALES.				4 or more office cleaners or general cleaners	..	94	7
WAGES.				1, 2, or 3 office cleaners or general cleaners	..	83	7
			Per week of 44 hours. s. d.	Other office cleaners or general cleaners	..	77	5
Under 19 years of age	..	..	25 6				
19 and under 20 years of age	..	..	33 0				
20 years of age	..	..	40 0				
PROPORTION.				* Where the employer requires the employee to reside on the premises, no deduction shall be made from the wages of such employee for rent, fuel or light.			
Improvers.				NOTE.—The employer shall supply all necessary tools and materials free.			
One female improver to every ten female workers receiving not less than 77s. 5d. per week of 44 hours.							

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

No. 269.—11884/39.

(3) TIMES OF BEGINNING AND ENDING WORK (other than casual employees)—

(a) For males who reside on the premises—

Times of Beginning.					Times of Ending.	
6 a.m.	..	..	..	..	1 p.m.	on Saturday.
6 a.m.	..	..	..	..	9 p.m.	on the other working days of the week.

(b) For other Males—

6 a.m.	..	..	..	..	1 p.m.	on Saturday.
6 a.m.	..	..	..	..	6 p.m.	on the other working days of the week.

(c) For Females—

6 a.m.	..	..	..	..	1 p.m.	on Saturday.
6 a.m.	..	..	..	..	9 p.m.	on the other working days of the week.

(4) OVERTIME.—That the following rates shall be paid for overtime :—

Outside the hours fixed in clause 3 Time and a quarter except that males shall be paid at the rate of time and a half and females double time for all work performed by them on Saturday after 1 p.m.

Within the hours fixed in clause 3 in excess of 3s. per hour.
the number of hours as fixed for a week's work

(5) EMPLOYMENT FOR LESS THAN FULL WEEK.—(a) MALES.—Casual male employees, that is to say persons who are employed during any week for less than the working week of 46 hours, shall be paid for the first 23 hours at the rate of time and a quarter, and for every hour thereafter ordinary time up to but not exceeding the ordinary wages rates for an ordinary week's work.

Provided that any male person who is not engaged for a week who earns a sum in wages equal to the wages of an ordinary week's work may be required by the employer to complete the week's work without further pay, and if such person refuses to do so he shall forfeit his right to any payment for that week unless his refusal is caused by his illness inability or some other sufficient cause beyond his control.

(b) (i) FEMALES.—Casual female employees, that is to say persons who are employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work, shall be paid at the rate of time and a quarter.

(ii) Female persons who are employed during any week for more than one-half the maximum number of hours fixed in this Determination as a week's work, but for less than 44 hours shall be paid not less than the ordinary wages rate calculated *pro rata* according to the number of hours worked.

(6) ALLOWANCES.—(i) If a cleaner is required to clean windows and it is necessary to go wholly outside the window, or climb around an outside column to do such cleaning, and if such cleaning is at a height of more than 10 feet from the ground or verandah, he shall be paid 1½d. extra for every such window cleaned unless the outside window or column ledge is more than 24 inches wide. Provided that nothing in this sub-clause shall apply to cleaning from a ladder resting on the ground.

(ii) Where cleaning is done from a ladder, and the height of any portion of the window to be cleaned exceeds 25 feet from the ground, the employee shall be paid 1½d. extra for each window so cleaned.

(iii) Provided that where an efficient safety device is provided this clause shall not apply.

(iv) The amount payable under this clause shall not exceed 1s. per day.

(7) RESTRICTION AS TO CLEANING OF SANITARY CONVENIENCES.—No female employee shall be required to clean or attend to any sanitary convenience provided for persons of the male sex.

(8) ANNUAL LEAVE.—Any employee who has been in the service of an employer for a period of not less than twelve months, shall be granted with pay, one week's holiday in each year (exclusive of the holidays mentioned in clause 9) and such holiday shall be given within three months of the completion of twelve months' service, provided that, for the purposes of this clause, any service prior to the 7th August, 1937, shall not be taken into account, and that payment for such holiday pay shall be calculated on an average of the four weeks immediately preceding such holiday.

Provided further, that any employee who leaves or is dismissed before the expiration of twelve months shall be given or paid for holidays *pro rata* in accordance with the length of service, viz., one day for each complete two months of service.

(9) PAYMENT FOR HOLIDAYS.—All employees other than casual employees shall be entitled to the following holidays without deduction of pay :—New Year's Day, Australia Day, Anzac Day, Labour Day, Good Friday, Easter Monday, King's Birthday, Christmas Day, and Boxing Day.

(10) SPECIAL RATES.—Double time shall be the rate for all work done on Sunday, Good Friday, 21st April (Labour Day), Anzac Day, or Christmas Day; and time and a half shall be the rate for all work done on New Year's Day, 26th January (Australia Day), King's Birthday, Boxing Day, or Easter Monday; 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.

RAY H. BEERS, P.M., Chairman.

C. W. TREVETHAN, Secretary.

Melbourne, 21st August, 1939.



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No. 270]

TUESDAY, SEPTEMBER 5.

[1939

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—

- (a) Excavation or earthwork in connexion with—
 - (1) the building of wharfs, piers, jetties, or docks,
 - (2) the forming of street channels or drains,
 - (3) the diversion of streams or rivers.
- (b) The construction or maintenance of streets, footpaths, or roads, and any work incidental thereto.
- (c) Concrete work in connexion with or incidental to—
 - (1) the construction of street channels or drains,
 - (2) the diversion of streams or rivers.
- (d) 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 7th day of September, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2) IMPROVERS.

Wages.	Proportion (by any Employer):
Per hour.	IMPROVERS.
Under 18 years of age 1 4	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 7	
20 years of age and under 21 1 9	

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.

OTHER EMPLOYEES.

	WAGES.
	Per hour.
	s. d.
Rigger	}
Pitcher Setter, Cube Setter, or Pavier	
Splicer of Wire Rope or Hemp Rope	
Weighter of Asphaltic Concrete Mixing Plant	
Bitumen Pourer or Kettle Attendant	
Tunnel Man or Shaft Sinker	
Timber Man in Tunnel or Shaft	
Powder Monkey	
Man-Hole Builder	
Sinkers in Trenches for storm-water drain	
Finisher in Concrete work	2 3½

OTHER EMPLOYEES—continued.

										WAGES.
										Per hour.
										s. d.
Pipe Joiner, or Pipe Layer	2 2½
Leading Tackle Hand	..	..	..	..	..	..	..	..	..
Skid Scoop (Tumbling Tommy)	..	..	..	..	..	..	..	..	..
Filler and/or Driver	..	..	..	..	..	..	..	..	..
Guard :—i.e., an employee in charge of a train or rake of trucks or railway wagons, drawn or propelled by steam, electric or other motor power, used in connexion with the haulage of ballast (sand, gravel or broken stone) rock, earth or other material used in connexion with construction work										2 2½
Jack Hammer man	2 1½
Mixer, Gauger, Spreading or Layer on of Concrete	..	..	..	..	..	..	..	..	..
Batterman using Batter Rule	..	..	..	..	..	..	..	..	..
Bituminous-Emulsion Worker	..	..	..	..	..	..	..	..	..
Boodler in Tunnel	2 1½
Fencer	..	..	..	..	..	..	..	..	..
Person Laying or Tarring Wood Blocks	..	..	..	..	..	..	..	..	..
Rake Hand on Tar Macadam	..	..	..	..	..	..	..	..	..
Rake Hand on Asphaltic Concrete	2 1½
Sanitary or Garbage Attendant	..	..	..	..	..	..	..	..	..
Scabber in Tunnel	..	..	..	..	..	..	..	..	..
Hot Asphaltic Concrete Shoveller; or Forker	..	..	..	..	..	..	..	..	..
Metal or gravel spreader	2 1½
Spaller; ploughman, Man-hole Builder's Labourer, and Telford pitcher setter	..	..	..	..	..	..	..	..	..
Filler of Monkey-Tail Scoop	..	..	..	..	..	..	..	..	..
Setter out of Re-inforcements	..	..	..	..	..	..	..	..	..
Attendant on Steam or Power driven navy :—i.e., an employee lifting and laying down tracks and doing other work incidental thereto										2 1½
Tipman :—i.e., an employee at the tiphead who directs where the material shall be tipped, assists in the tipping and keeps bank or dump true to specified line and level										
Cold Asphaltic Shoveller or Forker	..	..	..	..	..	..	..	..	..
Ploughman's Offsider	..	..	..	..	..	..	..	..	..
Tipper of Monkey-Tail Scoop	2 1½
Slurry Filler	..	..	..	..	..	..	..	..	..
All Others	2 0½

(3) HOURS.—The hours of work shall be 44 for each week.

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

				Time of Beginning.	Time of Ending.
				Where one shift is worked—	
Monday to Friday	..	..	(Day-shift)	8 a.m.	12 noon
Saturday	..	..	"	1 p.m.	5 p.m.
				8 a.m.	12 noon
				Where two or three shifts are worked—	
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 weekly hours may be worked from Monday to Friday on the vote of a majority of the employees.

(b) Employees working Afternoon and Night Shift shall be paid 1s. per shift extra.

(c) Where practicable, shifts shall be changed in rotation each week.

(5) OVERTIME.—All work done in excess of the ordinary daily hours of work shall be paid for at one and a half times the ordinary prescribed rate for the first four hours and at double the ordinary prescribed rate for the time thereafter worked. 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.

(6) MIXED FUNCTIONS.—(a) Where an employee is required to do, and does, on any one day for a time exceeding two 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.

(b) In all other cases where an employee does more than one class of work he shall be paid for each class proportionately to the time he works thereat.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) PAYMENT OF WAGES.—Employees shall be paid their wages in working hours, and if not so paid shall be entitled to be paid at ordinary basic wage rates for the time they have to wait for payment, provided that, if because of circumstances beyond the reasonable control of the employer, he cannot so pay the wages, he shall only be bound to pay them at the earliest time reasonable in the circumstances.

(12) TIME RECORD.—(a) The employer shall keep a record of the names of the employees of such employer and in respect of each such employee a record from week to week of the periods, times and class of work done and the rates of wage and amounts of wage paid, and shall obtain from week to week the signature of such employee to such record.

(b) The Secretary or Branch Secretary of the Australian Workers' Union or of the Municipal and Shire Council Employees Union or an official of either such Union authorized in writing to that effect by the Secretary or Branch Secretary shall be allowed on any day coming two days after a pay day between 10 a.m. and 12 noon, or at such other time as may be agreed upon, to inspect such records so far as may be reasonably necessary to obtain information.

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

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

(15) 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.

(16) 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.

(17) 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.

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

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

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

(21) 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.

(22) 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.

(23) 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.

(24) 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.

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

(26) 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.

(27) 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.

(28) 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."

(29) 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—

(i) the employer provides the employee with a proper mess room and with cooked food thereat } whether or not
at cost price; such price not to exceed in any case 25s. per week per employee; } the employee
(ii) proper board, at not exceeding 25s. per week, can be obtained by the employee within a } avails himself of
reasonable distance from the camp. } these facilities.

(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.

(30) 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 continues to work for the employer for at least two months, or for so long as the work continues should the work cease sooner.

(31) 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.

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

(33) 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.

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

(35) 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.

(36) 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.

(37) 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.

(38) 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.

Melbourne, 21st day of August, 1939.

