



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 144]

SATURDAY, MAY 4.

[1940

Factories and Shops Acts.

DETERMINATION OF THE AGRICULTURAL IMPLEMENTS BOARD.

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

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the *Factories and Shops Acts* and the Order in Council thereunder, and such portions of the City of Sandringham and the Shire of Braybrook as are not included within the said district; the Cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the Town of Newtown and Chilwell; and the Boroughs of Eaglehawk and Sebastopol.

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 30th January, 1940, by the Agricultural Implements Board, and published in the *Government Gazette* on the 15th February, 1940, hereby issue an adjusted Determination showing the adjusted wages rates to be paid to any person or persons, or classes of persons employed in—

(a) the process, trade, or business of a maker of—

(i) agricultural machinery or implements;

(ii) parts of agricultural machinery or implements;

(iii) bag-filling machinery, bone-crushers, buttermaking machinery, chaff-cutters, corn-crushing machinery, cream separators, hay presses, horse works, iron feeding troughs, lawn mowers, machinery for treating flax or hemp, maize shellers, windmills; or

(iv) garden tools or implements or parts thereof;

(b) assembling or putting together any parts of machinery or implements of classes or kinds (whether the same have been made inside or outside the State) same or similar to those mentioned in paragraph (a)—

(1) The adjusted rates shown herein shall be paid as from the beginning of the first pay period to commence in May, 1940.

(2)

	Wages per Week of 44 Hours.			Wages per Week of 44 Hours.	
	Within the Metropolitan District and such portions of the City of Sandringham and the Shire of Braybrook as are not included within the said District; the Cities of Geelong, Geelong West and the Town of Newtown and Chilwell, and the City of Warrnambool.	Other parts of Victoria where this Determination applies.		Within the Metropolitan District and such portions of the City of Sandringham and the Shire of Braybrook as are not included within the said District; the Cities of Geelong, Geelong West and the Town of Newtown and Chilwell, and the City of Warrnambool.	Other parts of Victoria where this Determination applies.
	£ s. d.	£ s. d.		£ s. d.	£ s. d.
Implement smiths	5 2 0	4 19 0	Grinders (using portable machine)	4 12 0	4 9 0
Bulldozers	4 14 0	4 11 0	Heaters	4 8 0	4 5 0
Blacksmiths' strikers	4 8 0	4 5 0	Picklers	4 5 0	4 2 0
Blacksmiths' strikers (on double fires)	4 10 0	4 7 0	Hammer drivers	4 10 0	4 7 0
Carpenters engaged on agricultural implement making (including tool allowance)	5 2 0	4 19 0	Wire weavers	4 8 0	4 5 0
Agricultural implement fitters and comb fitters	4 17 0	4 14 0	Painters (brush hand)	4 8 0	4 5 0
Agricultural implement fitters and comb fitters (after two years' experience)	5 0 0	4 17 0	Spray painters	4 12 0	4 9 0
Pattern fitters and finishers	5 0 0	4 17 0	Paint dippers and mixers	4 5 0	4 2 0
Plough fitters	4 15 0	4 12 0	Writers and liners	4 17 0	4 14 0
Assemblers	4 9 6	4 6 6	Wire drawers	4 8 0	4 5 0
Assemblers (after two years' experience)	4 13 0	4 10 0	Chippers	4 8 0	4 5 0
Windmill erectors	4 17 0	4 14 0	Sand and shot blast dressers	4 12 0	4 9 0
Windmill makers other than fitters	4 16 0	4 13 0	Dismantlers	4 8 0	4 5 0
Wheel rimmers	4 17 0	4 14 0	Checkers	4 10 0	4 7 0
Furnacemen on small rivet heating or bolt beating	4 10 0	4 7 0	Inspectors	4 10 0	4 7 0
Furnacemen's assistants	4 8 0	4 5 0	Storemen and packers	4 5 6	4 2 6
Dressers and fettlers	4 10 0	4 7 0	Process workers	4 8 0	4 5 0
Grinders and emery-wheel attendants	4 10 0	4 7 0	Patternmakers	5 18 0	5 15 0
			All others	4 2 0	3 19 0
			<i>Machinists.</i>		
			1st class	5 9 0	5 6 0
			2nd class	5 0 0	4 17 0
			3rd class	4 14 0	4 11 0
			Drillers	4 10 0	4 7 0
			Die setters and machine setters	4 12 0	4 9 0
			Machinists coming within the definition of process workers	4 8 0	4 5 0

	Wages per Week of 44 Hours.	
	Within the Metropolitan District and such portions of the City of Sandringham and the Shire of Braybrook as are not included within the said District; the Cities of Geelong, Geelong West and the Town of Newtown and Chilwell, and the City of Warnambool.	Other parts of Victoria where this Determination applies.
	£ s. d.	£ s. d.
Welders.		
1st class	5 12 0	5 9 0
2nd class	4 14 0	4 11 0
3rd class	4 10 0	4 7 0
Tack welders	4 12 0	4 9 0
Sheet Metal Workers.		
1st class bench hand	5 7 0	5 4 0
2nd class bench hand	5 0 0	4 17 0
Wood Mill Section.		
Saw doctors	5 12 0	5 9 0
Casemakers	4 14 0	4 11 0
Shaper machinists (wood)	5 3 0	5 0 0
Turners	5 3 0	5 0 0
Moulding machinists (where the machinists set up their machines and grind their knives or cutters)	5 0 0	4 17 0
Moulder machinists (where the machinists set up their machines only)	4 14 0	4 11 0
Buzzer machinists (using straight irons and setting up machines and grinding knives and cutters)	4 17 0	4 14 0
Buzzer machinists (only operating or feeding machines)	4 8 0	4 5 0
Thickener machinists	4 8 0	4 5 0
Tenoning machinists (only operating or feeding machines)	4 8 0	4 5 0
Tenoning machinists (using straight irons and setting up machines and grinding knives and cutters)	4 17 0	4 14 0
Boring and drilling machinists	4 8 0	4 5 0
Bending machinists	4 12 0	4 9 0
Morticing machinists	4 8 0	4 5 0
Sanding machinists	4 12 0	4 9 0
Timber markers	4 8 0	4 5 0
Pulling-out machinists	4 8 0	4 5 0
Band sawyers	4 14 0	4 11 0
Circular sawyers	4 12 0	4 9 0
Crosscut sawyers	4 8 0	4 5 0
Casemaking sawyers	4 8 0	4 5 0
Stackers	4 8 0	4 5 0

(3) UNAPPRENTICED MALE JUNIORS AND FEMALES.

	Weekly Hiring.	Hourly Hiring
	s. d.	s. d.
Junior Males.		
In blacksmithing, bulldozing, and work associated therewith: furnace work and heating—		
Under 16 years of age	17 0	18 3
16 and under 17 years of age	26 9	28 5
17 and under 18 years of age	47 0	50 0
18 and under 19 years of age	59 6	63 3
19 and under 21 years of age	71 6	76 0
In all occupations except blacksmithing, bulldozing, and work associated therewith—		
1st year's experience	15 8	16 8
2nd year's experience	23 9	25 3
3rd year's experience	32 9	34 10
4th year's experience	44 3	47 1
5th year's experience	56 3	59 10
6th year's experience	69 3	73 8

	Weekly Hiring.	Hourly Hiring
	s. d.	s. d.
Adult Females.		
If of less than twelve months' experience	50 9	53 11
If of twelve months' experience or more	57 9	61 4
Junior Females.		
1st year's experience	14 0	15 0
2nd year's experience	18 9	20 1
3rd year's experience	29 9	31 8
4th year's experience	37 6	39 11
5th year's experience	43 0	45 9
Thereafter until reaching the age of 21 years	48 0	51 0

HOURS OF EMPLOYMENT.

(4) The ordinary hours of employment shall be 44 per week, to be worked, except as to shift workers, between the hours of 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday: Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer, and his employees, and also that the weekly hours may be worked in five days.

SHIFT WORK.

(5) For any afternoon or night shift which has been in operation for five nights consecutively and for less than one month 10 per cent. more than ordinary rates shall be paid, and after such shifts have continued for more than one month 5 per cent. more than the ordinary rates shall be paid. Shifts which do not continue for five consecutive nights shall be regarded as overtime.

OVERTIME.

(6) (a) For all work done outside ordinary hours the rate of wage shall be time and a half for the first four hours and double time thereafter.

(b) In computing overtime each day's work shall stand alone.

(c) An employee recalled after leaving his workshop to work overtime shall be paid for a minimum of three hours' work at the appropriate rate.

(d) An employee occasionally required to hold himself in readiness to work after ordinary hours shall until released be paid standing by time at ordinary rates from the time from which he is to hold himself in readiness. But any custom now prevailing under which an employee is required to regularly hold himself in readiness for a call back shall continue.

(e) An employee (other than on shift) who has worked up to or beyond midnight shall not be bound to continue work on the following day.

(f) For all work done during meal hours and thereafter until a meal hour break is allowed time and a half rate shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

(g) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(h) Before starting overtime after working ordinary hours, a meal break of at least 45 minutes shall be allowed, unless the period of overtime is less than one and a half hours. An employee and his employer may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(i) An employee being required to work overtime for more than two hours without being notified the day before that he will be required so to work shall either be supplied with a meal by the employer or paid 1s. 6d., or if work extends into a second meal hour 2s. 6d. for the two meals, but such payment need not be made to employees who live in the same locality as their workshop, and who can reasonably return home for meals.

If an employee, pursuant to notice, has provided a meal or meals, and is not required to work overtime, he shall be paid for each meal so provided.

(j) Subject to the provisions of the second part of sub-clause (f) of this clause, an employee shall work during meal breaks at the ordinary rates herein prescribed whenever instructed so to do for the purpose of making good breakdowns of plant, or upon routine maintenance of plant which can only be done while such plant is idle.

(k) When an employee working overtime finishes work at a time when reasonable means of transport is not available, the employer shall provide him with a conveyance, or pay him ordinary wage rates for the time occupied in reaching his home.

MIXED FUNCTIONS.

(7) An employee engaged on any day on different grades of work shall be paid at the rates prescribed for time actually worked in each grade.

HOLIDAYS AND SUNDAY WORK.

(8) (a) Employees shall be entitled to the following public holidays (without pay except as hereinafter provided):—New Year's Day, Foundation or Anniversary Day, Good Friday, Easter Saturday, Easter Monday, Eight Hours Day (or Labour Day), Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

By an agreement between an employer and his employees other holidays may be substituted for the said days, or any of them, as to such employer's undertaking.

(b) Employees shall be paid at the rate of double ordinary time for work done on Sundays and public holidays, such double time to continue until the employee has been relieved from duty at least eight hours. Provided that the employee shall not be paid for the time he is resting.

Provided further that employees engaged in repairs or renewals of their employer's plant and machinery necessary for resumption of work the next following working day (not including the installation of new machinery) shall on Sundays or holidays be paid at the rate of time and a half.

PIECEWORK RATES.

(9) Subject to the minimum wages herein prescribed, 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 prescribed hourly or weekly rates.

EXTRA RATES NOT CUMULATIVE.

(10) Extra rates prescribed in this determination are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

(11) (a) Wages shall be paid weekly. Where the services of an employee are dispensed with, wages shall be paid to him on the day of dismissal, or forwarded to him by post on the following day.

(b) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid at overtime rates after that quarter of an hour, with a minimum of a quarter of an hour.

CONTRACT OF EMPLOYMENT.

(12) (a) With the exceptions hereinafter stated, employment may be by the week or by the hour. If by the week it shall be terminable on either side by one week's notice given on any day, or (if the employer terminate it without such notice) by payment of one week's wages.

A contract for weekly employment may be terminated by an employer, without liability to pay for more than time actually worked, for misconduct, or absence from work without reasonable excuse. If any employee engaged by the week absents himself from duty, except on public holidays, or for days for which he produces a certificate from a medical practitioner, or other proof satisfactory to his employer of sickness (aggregating four days' sickness in each year), a sum proportionate to his time of absence may be deducted from his pay, i.e., one-sixth of the weekly wage for each day of absence, including Saturdays, in shops working six days, and one-fifth in shops working five days per week. Provided that only time actually lost shall be deducted when an employee is absent, with leave, on a Saturday.

(b) If the contract for employment is for hourly hiring, the total amount of the rates prescribed in clause 2 hereof shall be increased by 5s. per week, but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) An employee starting work on hourly hiring shall be entitled to a minimum of four consecutive hours' work, or to four hours' pay for the job; such hours may be deemed to be consecutive if worked in ordinary hours at the end of a day and the beginning of the next succeeding day.

MISCELLANEOUS PROVISIONS.

(13) (a) *Tools*.—The employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination, and for sheet metal workers, snips used in the cutting of stainless steel, Monel metal, and similar hard metal. The employee shall replace or pay for any tools so provided if lost through his negligence.

(b) (1) Suitable asbestos sheet and coloured glasses or suitable hoods shall be provided by employers for the protection of electric arc and oxy-acetylene operators and their assistants, and suitable mica or other goggles for emery-wheel operators.

(2) Suitable leather or canvas gloves shall be provided by employers for the operators of pneumatic tools and/or punch and shearing machines.

(c) Patternmakers, at the conclusion of their employment, shall be allowed one hour for grinding tools.

(d) Employers shall provide proper washing and sanitary conveniences.

TIME AND WAGES BOOK.

(14) Each employer shall keep a time and wages book showing the name of each employee and his occupation, the hours worked each day, and the wages and the allowances paid each week.

The time occupied by an employee in filling in any time books or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in, or out at the beginning or end of duty.

SPECIAL RATES.

(15) In addition to the wages prescribed in clause 2 hereof the following special rates and allowances shall be paid:—

(a) Leading hands in charge of not less than three and not more than ten employees, 6s. per week extra; more than ten and not more than twenty, 12s. per week extra; more than twenty, 18s. per week extra.

(b) Except where dismissed for misconduct or when leaving of his own accord, a patternmaker employed for less than three weeks at a workshop or job shall, to the extent of 6s., be reimbursed by his employer any expense incurred in the carting of tools.

(c) Where more than one of the disabilities entitling a workman to extra rates exists on the same job the employer shall be bound to pay only one rate, viz., the highest for the disabilities so prevailing.

DEFINITIONS.

(16) For the purposes of this determination the following definitions shall apply:—

(a) "Manufacture and/or Manufacturing" means the making and assembling in quantities of interchangeable or standardized parts used in or in connexion with machinery and mechanical apparatus.

(b) "Assembler" means any adult person employed in putting together parts of any agricultural machinery covered by this determination which have been previously fitted. The removal of burrs or rags shall not be deemed to be fitting.

(c) "Process Worker" means an employee engaged on—

(i) Repetition work in manufacture on any automatic, semi-automatic, or single-purpose machine, or any machine fitted with jigs, gauges, or other tools rendering operations mechanical (and in connexion with which he is not responsible for the setting up of the machine nor for the dimensions of the products other than by checking with gauges which gauges shall be either unadjustable or, if adjustable, shall not be set up by the operator); or

(ii) The assembling of parts of mechanical appliances or other metallic articles so made, in which no fitting or adjustment calling for the use of tools other than hammers, screw-drivers, spanners, and files necessary for the removal of burrs is required; or

(iii) Any specialized manufacturing process not requiring the use of hand tools (except hammers, screw-drivers, spanners).

(d) "Shift work."—Afternoon shift means any shift finishing after 6 p.m. and at or before midnight. Night shift means any shift finishing subsequent to midnight and at or before 8 a.m.

(e) "Sunday" means all time between midnight Saturday and midnight Sunday.

(f) "Patternmaker" means a tradesman engaged in the making of patterns in wood.

(g) "First class machinist" means a tradesman who is partly or wholly engaged in setting up or operating the following machines:—lathe, boring machine, milling machine, planing machine (metal), shaping machine (metal), slotting machine, and grinding machine.

(h) "Second class machinist" means an adult not engaged as a tradesman and who is not required to work from drawings or prints required to be scaled and/or measured from drawings and prints or to make precision measurements, but who is engaged in operating or in the setting up and operating of machines enumerated in the definition of first class machinist, or who is engaged operating a key-seating machine.

(i) "Third class machinist" means a machinist, not being a process worker, who operates any machine set up by a tradesman, or any machine the setting up of which does not require the knowledge or skill of a second class machinist.

(j) "First class welder" means an adult employee using electric arc or acetylene blowpipe or coal gas cutting plant on work other than filling castings, cutting scrap metal, using jigs, or doing work covered by definitions of second and third class welders, and includes re-welding by hand processes.

(k) "Second class welder" means an adult employee not required to do first class welding but engaged in filling

castings, or in manufacturing sheet metal goods, or welding with the aid of jigs, or re-welding except by hand processes, or operating automatic welding machines for the setting up of which he is not responsible.

(l) "Third class welder" means an adult employee using electric spot or butt welding machine or cutting scrap with oxy-acetylene blowpipe.

(m) "Sheet metal—First class bench hand" means an adult workman working to scaled prints or drawings or applying general trade knowledge or experience to the making of completed articles and/or the erection and installation thereof.

(n) "Sheet metal—second class bench hand" means an adult workman working at the bench in the making and/or repairing of completed articles not calling for the use of prints or drawings or measurements.

(o) "Plough fitter" means an employee engaged in fitting harrows, scarifiers, drag harrows, disk ploughs, mould board ploughs, disk cultivators, rollers, or stump extractors.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 18th April, 1940.