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Factories and Shops Acts.

DETERMINATION OF THE IRON AND STEEL ROLLING 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.

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 20th February, 1940, by the Iron and Steel Rolling Board, and published in the *Government Gazette* on the 7th March, 1940, hereby issue an adjusted Determination showing the adjusted rates to be paid to any person or persons or classes of persons, employed in the process, trade, or business of iron or steel rolling.

(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.

Improvers.				Other Employees.						
				DAY SHIFT.						
Wages per Week of 44 Hours.				Wages per Week of 44 Hours.						
£ s. d.				£ s. d.						
17. to 19 years of age	2	19	9	Roller	7	4	3
19 to 21 years of age	3	11	9	Furnaceman	6	16	6
PROPORTION (in any place).										
One improver to every six adults receiving not less than 82s. per week of 44 hours.										
				Rougher				6	11	6
				Catcher (three high roughing Rolls)				6	11	6
				Catcher who is responsible for adjusting guards				4	19	0
				Other Catchers				4	16	0
				Annealer or Heat Treatment Hand				5	7	0
				Roller's Assistant				5	5	0
				Charger				4	17	0
				Shearman of scrap (Crocodile Shears)				4	17	0
				Yard Shearman				4	17	0
				Billet Shearman				4	17	0
				Scrap Bar Shearman				4	11	0
				Other Shearman				4	8	6
				Setter Up				4	13	11
				Carrier Up (large mill)				4	11	0
				Carrier Up (small mill)				4	5	8
				Underhand who also assists to feed furnace				4	11	0
				Hookman				4	11	0
				Middleman				4	11	0
				Straightener				4	11	0
				Straightener's Assistant				4	8	6
				Chipper				4	11	0
				Assistant Furnaceman				4	11	0
				Plate Hand				4	8	6
				Underhand				4	8	6
				Furnaceman at electric furnace				5	9	0
				Pitman at electric furnace				5	0	0
				Ladleman at electric furnace				5	0	0
				Assistant at electric furnace				4	5	8
				Assistant to Shearman				4	6	0
				All others				4	2	0

NOTE.—If the employment is for hourly hiring, the rates prescribed above for other employees shall be increased by 5s. per week (see clause 9 (b)).

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 unskilled that no person shall be taken as an apprentice.

(3) **PROHIBITION OF EMPLOYMENT.**—The employment of any improver under the age of seventeen years is prohibited.

(4) **HOURS OF EMPLOYMENT.**—The ordinary hours of employment shall be 44 per week, to be worked in five days of 8 hours and one day (Saturday) of 4 hours, or five days of 8 hours 48 minutes each, continuously except for meal hour breaks at the discretion of the employer between 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.

By agreement between any employer and his employees ordinary hours may be worked on the basis of 83 per fortnight with one week of 40 and one of 48 hours.

(5) **SHIFT WORK.**—The following percentage shall be added to the rates fixed for the day shift for persons employed on the afternoon or night shift:—12½ per cent.

(6) **MIXED FUNCTIONS.**—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 less than half of one day or shift he shall be paid the higher rate for the time so worked.

(7) **OVERTIME.**—(a) For all work done outside ordinary hours the rates of wage shall be time and a half for the first 4 hours and double time thereafter, such double time to continue to be paid until an employee has been relieved from work for at least 8 hours. Provided that an employee shall not be entitled to payment for such rest period.

(b) Except as provided above 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 so to hold himself in readiness. But any custom now prevailing under which an employee is required regularly to 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) As far as practicable employees shall not work overtime while competent labour is available.

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

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each 4 hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(i) 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 employer and his employee may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(j) 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 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-shop 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.

(k) Subject to the provisions of the second part of the sub-clause (g) 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 break-downs of plant or upon routine maintenance of plant which can only be done while such plant is idle.

(l) 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 his current wage for the time occupied in reaching his home.

(8) **HOLIDAYS AND SUNDAY WORK.**—(a) Employees shall be entitled to the following public holidays (without pay except as hereinafter provided):—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

Exceptions.

By agreement between any 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 not engaged in continuous work 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 for at least 8 hours. Provided that the employee shall not be paid for the time he is resting.

Provided that employees engaged in repairs to 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 holidays or Sundays be paid at the rate of time and a half.

(c) Employees, other than on shift work, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

(9) **CONTRACT OF EMPLOYMENT.**—(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 any employer, without liability to pay for more than time actually worked, for misconduct or for absence from work without reasonable excuse.

If an 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 4 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 Saturday 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 of employment is for hourly hiring, the total amount of the rates prescribed in clause 2 hereof shall be increased by 6s. per week for other employees (with a proportionate amount added to the wages of improvers), but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) Casual employees, i.e., employees for whom a full week's work is not provided, shall for any such work be paid 10 per cent. in addition to the total wage prescribed for their occupations.

(d) 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.

(10) RIGHT OF ENTRY OF UNION OFFICIALS.—A duly credited official of the Federated Ironworkers' Association of Australia shall have the right to enter employers' workshops for the purpose of conducting union business during the midday meal hour or immediately prior to the starting of work by the night shift provided he notifies the management of his intention to visit the works.

(11) MISCELLANEOUS PROVISIONS—(a) Employers shall provide proper washing and sanitary conveniences and install showers and clothes hangers for the use of workmen.

(b) *Stoppage of Work re Breakdown of Machinery.*—In the event of the work of a factory being stopped by a breakdown of machinery or a stoppage of supply of power, or for any cause for which the employer cannot reasonably be held responsible, all employees who present themselves for work shall be found work for that day, or paid one day's wages in lieu thereof, but when such breakdown or stoppage occurs the employer may give notice to an employee that his services will not be required on the following day or days, and the employee shall not be entitled to any further payment in respect of any further days that he is out of employment by reason of such breakdown or stoppage.

(12) PIECEWORK.—The lowest piecework price payable to any person employed shall be the price mentioned in the following Schedule, which Schedule shall form part of this Determination.

The Board has also determined that where any person employed on tonnage rates set out in such Schedule fails to earn during any day on which he is so employed an amount equal to one-fifth of the prescribed weekly rate he shall be paid for such day not less than one-fifth of the prescribed weekly rate. Provided that if such employee elects to work for a shorter period than the number of hours fixed for an ordinary day's work he shall be paid a sum proportionate to the time worked.

		s. d.		
LARGE MILL.				
Roller	.. ..	2	8½	per ton of finished bars of iron and steel.
		2	6½	per ton of scrap iron bars.
Rougher	.. ..	2	0	per ton of finished bars of iron and steel.
		3	7	per ton of scrap iron bars.
Catcher	.. ..	1	4½	per ton of finished bars of iron and steel.
		2	1	per ton of scrap iron bars.
Middleman	.. ..	1	4	per ton of finished bars of iron and steel.
Large Hook	.. ..	1	3½	per ton of finished bars of iron and steel.
		1	10½	per ton of scrap iron bars.
Small Hook	.. ..	1	3½	per ton of finished bars of iron and steel.
Platehand	.. ..	1	3½	per ton of finished bars of iron and steel.
Leading Platehand	.. ..	1	4	per ton of finished bars of iron and steel.
		1	11½	per ton of scrap iron bars.
Furnaceman	.. ..	4	3	per ton of finished bars of iron and steel.
		6	2	per ton of scrap iron bars.
Underhand	.. ..	2	8	per ton of finished bars of iron and steel.
		3	10	per ton of scrap iron bars.
Carrier Up	.. ..	1	4	per ton of finished bars of iron and steel.
Carrier Up	.. ..	1	3½	per ton of finished bars of iron and steel.
SMALL MILL.				
Roller	.. ..	4	3	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		3	4½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		2	10	per ton of finished bars of iron and steel billets and iron piles over 40 lb. each.
Rougher	.. ..	3	3	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		2	10	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		2	6½	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
Catcher	.. ..	2	2	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
		1	9½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		1	7	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		1	6	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
Middleman	.. ..	2	0	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
		1	8	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		1	6	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		1	5	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
Furnaceman	.. ..	6	10	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
		5	11	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		5	4	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
Underhand	.. ..	4	3	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
		4	0	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
		3	4	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		2	11	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
Plateman	.. ..	2	8	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
		2	3	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		1	5	per ton of finished bars of iron and steel billets and iron piles over 30 lb. each.

NOTE.—The furnaceman and underhand are paid for the output of one furnace.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 1st May, 1940.





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SATURDAY, MAY 4.

[1940

Factories and Shops Acts.

DETERMINATION OF THE CARETAKERS 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 and the Geelong District as defined in the *Factories and Shops Acts*, such portions of the City of Sandringham as are not included within the said Metropolitan District, the cities of Ballarat, Bendigo, and Warrnambool, 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 19th February, 1940, by the Caretakers Board and published in the *Government Gazette* on the 7th March, 1940, hereby issue an adjusted determination showing the adjusted rates to be paid to persons employed as caretakers of buildings—

- (a) in which any process, trade, business, or occupation is carried on for profit;
- (b) which are temporarily untenanted but in which, ordinarily, any process, trade, business, or occupation is carried on for profit;
- (c) which contain flats;
- (d) which contain halls let for public entertainment or for other purposes."

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

IMPROVERS.

Wages per week of 46 hours.	PROPORTION (in any place).
Under 18 years of age	One improver to every worker receiving not less than 84s. per week of 46 hours.
18 to 19 years of age	
19 to 20 years of age	
20 to 21 years of age	

OTHER EMPLOYEES.

WAGES PER WEEK OF 46 HOURS.

	Within the Metropolitan and Geelong Districts as defined in the <i>Factories and Shops Acts</i> and the City of Warrnambool.	All Other Parts of Victoria where this Determination Applies.
	s. d.	s. d.
Persons engaged weekly to take care of buildings which contain—		
41 or more flats	91 0	88 0
21 to 40 flats	87 0	84 0
20 or less flats	82 0	79 0
Persons engaged weekly to take care of buildings which contain halls let for public entertainment or for other purposes	82 0	79 0
Other caretakers of buildings in charge of—		
11 or more cleaners	119 6	116 6
4 to 10 cleaners	109 6	106 6
1 to 3 cleaners	98 6	95 6
All others	87 0	84 0

(3) Where an employee is required by his employer to reside on the premises where he is employed no deduction shall be made from the wages of such employee for rent, fuel, or light.

(4) **TIMES OF BEGINNING AND ENDING WORK FOR ALL PERSONS OTHER THAN THOSE EMPLOYED IN CONNEXION WITH FLATS OR HALLS:—**

	Time of Beginning.	Time of Ending.
On the usual half-holiday	6 a.m. ..	1.20 p.m.
On the usual late trading night, or the night previous to a Public Holiday	6 a.m. ..	9.20 p.m.
On all other working days of the week	6 a.m. ..	9 p.m.

(5) **NOTICE OF HOURS.**—Every employer shall notify the hours at which he requires his employee to commence and cease work. Work done outside the hours notified shall be paid for at overtime rates. Such hours when notified shall not be changed except by a week's notice.

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

(a) by persons employed in connexion with Flats or Halls—

Outside the hours of commencing and ceasing work notified by the employer in accordance with clause 5 } Time and a half.
In excess of 46 hours in any week }

(b) by all other persons—

Outside the times of beginning and ending work as fixed in clause 4—

(i) Between midnight and 6 a.m. } Double time.
(ii) At any other time } Time and a half.

Outside the hours of commencing and ceasing work notified by the employer in accordance with clause 5—

(i) Between midnight and 6 a.m. } Double time.
(ii) At any other time } Time and a half.

Within such prescribed times, but in excess of 46 hours in any one week } Time and a half.

provided that overtime shall not be paid more than once in respect of the same period of work.

(7) **TERMS OF EMPLOYMENT.**—(a) All employees other than casual employees shall be engaged by the week and shall be paid weekly. Employees to become entitled to payment on a weekly basis must be available and ready and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked. Notice equivalent to 46 working hours shall be given at any time. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 46 working hours' notice, except in circumstances referred to above, the employer may pay 46 hours' wages; and vice versa, the employee leaving his employment without notice shall forfeit 46 hours' wages, which may be deducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays, and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

(8) **CASUAL EMPLOYEES.**—i.e., persons engaged 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. Such payment shall be in addition to any overtime to which they may be entitled under clause 6.

(9) **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 eight working days in each year (exclusive of the holidays mentioned in clause 10) 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 10th July, 1939, in the case of caretakers of flats and halls and to the 29th September, 1938, for all other caretakers shall not be taken into account.

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 six weeks of service.

(10) **SPECIAL RATES.**—Time and a half shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, 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.

Any employee other than one employed in connexion with flats and halls who is required to work on any such days after 8 a.m. shall be paid for at least 4 hours' work.

(11) **CLEANING MATERIALS.**—All materials and implements for cleaning purposes shall be provided and maintained by the employer.

(12) The employer shall nominate himself or some other person as being the person who shall have the ultimate control and direction of the work of the caretaker.

(13) **TIME BOOK.**—Every employee shall indelibly record and initial daily his correct times of beginning and ending work in a book which shall be furnished by the employer. Such book shall be open for inspection by the Secretary or Assistant Secretary of the Victorian Branch of the Federated Miscellaneous Workers' Union between the hours of 9 a.m. and 5 p.m. of any working day, except Saturday at the employer's office or other convenient place provided that only one demand for each inspection shall be made at the same establishment in any calendar month. Such demand shall not be made unless the Secretary or Assistant Secretary of the Union suspects that a breach of this Determination has been committed.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 1st May, 1940.