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[1940

Factories and Shops Acts.

DETERMINATION OF THE WHARFS AND JETTIES 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 Act 1928* and the Order in Council thereunder; such portions of the city of Sandringham as are not within the said district; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warruambool; the town of Newtown and Chilwell; the boroughs of Eaglehawk and Sebastopol; and the Moorpanyal riding of the shire of Corio.

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 9th February, 1940, by the Wharfs and Jetties Board, and published in the *Government Gazette* on the 23rd February, 1940, hereby issue an adjusted Determination showing the adjusted wages rates to be paid to any persons employed in the trade of constructing or demolishing wooden or concrete wharfs, piers, or jetties.

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

(2)

Apprentices and Improvers.	Other Employees.	Wages.	
		Where One Shift only is Worked.	Where Two Shifts are Worked.
WAGES.		s. d.	s. d.
Under 16 years of age	Foreman	119 3	124 3
" 17 " " "	Leading hand, i.e., a person in charge of not less than—		
" 18 " " "	(a) three nor more than ten employees	113 3	118 3
" 19 " " "	(b) eleven nor more than fifteen employees	116 3	121 3
" 20 " " "	Pile-driver	109 0	114 0
" 21 " " "	Pile-driver's offsider	93 0	98 0
PROPORTION (in any place).	Wharf carpenters, employed on cross heads, beams, walings, transoms, kerbings, capping and bollards, braces or lower walings, decking, marginal or stepping decking, fenders, tie beams, trimmers, ladders and steps, platforms for points and approaches thereto, boat landings, ring bolts, mooring hooks, mooring piles, beacons, fencing, pile-pointing, pile-ringing, form work for concrete construction, or fitting and fastening all angle iron for waterways	107 3	112 3
<i>Apprentices.</i>	Oxy acetylene burner on demolition work	107 3	112 3
One apprentice to every three or fraction of three workers receiving not less than 82s. 0d. per week of 44 hours.	Saw sharpener	106 6	111 6
	Machine borer	93 0	98 0
	Cleater	90 0	95 0
	Cradler or squarer	88 0	93 0
<i>Improvers.</i>	Hand borer	85 6	90 6
Three improvers to every four or fraction of four workers receiving not less than 82s. 0d. per week of 44 hours.	Wharf carpenter's assistant	82 0	87 0
	Dumper		
	Other demolition workers		
	All others		
	CONCRETE WORK.		
	Pneumatic pick user or jack hammer-man	91 0	96 0
	Concrete float	90 0	95 0
	Mixer operator	90 0	95 0
	Men filling moulds		
	Gaugers, i.e., persons filling gauged barrows or boxes	88 0	93 0
	Other mixers		
	Men employed on reinforcements		
	Barrowmen or general labourers	82 0	87 0

(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—

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|--|----|----|----|--|
| (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.

Melbourne, 27th April, 1940.

F. A. MARZORINI,

Secretary for Labour.