



VICTORIA GOVERNMENT GAZETTE.

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No. 308]

WEDNESDAY, AUGUST 21.

[1940

Factories and Shops Acts.

DETERMINATION OF THE TAR AND BITUMEN 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 appointed 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 Excavation or Roadwork Board) wheresoever employed in the process, trade, business, or occupation of tar distilling or in the manufacture or preparation of bituminous emulsions, tar distillates, asphaltic concrete, or other road surfacing preparations" has made the following Determination, namely:—

- (1) That on 23rd August, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination
(2) WAGES PER WEEK OF 44 HOURS.

Improvers.		Other Employees.	
	<i>s. d.</i>		<i>s. d.</i>
Under 19 years of age	58 0	Bitumen emulsion maker	94 0
19 years and under 20 years	68 3	Bitumen, tar or pitch kettle attendant (where direct heat by fire is used)	94 0
20 years and under 21 years	72 6	Tar distiller and/or maker of pitch (T.I.C. type of plant)	93 0
		Tar distiller and/or maker of pitch (other types of plants)	96 0
		Weigher or measurer and/or mixer of asphaltic concrete or other pre-mixed materials	94 0
		All others	91 0

PROPORTION (IN ANY PLACE).
One improver to every five or fraction of five workers receiving not less than 91s. per week.

NOTE.—The Board determines that no person shall be employed as an apprentice.

(3) 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 6.30 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 6.30 a.m. to noon on Saturday: Provided that, by mutual agreement between an employer and his employees, the spread of hours herein prescribed may be altered, and ordinary hours may be worked on the basis of 88 per fortnight with weeks of 40 hours and 48 hours alternately.

(4) OVERTIME.—For all work done in excess of the ordinary hours (daily or fortnightly) the rate payable shall be time and a half for the first 4 hours work and double time thereafter.

(5) SHIFT WORK.—(a) Employees working on afternoon or night shift shall be paid 1s. per shift or part thereof in addition to the rates prescribed in clause (2).

(b) "Afternoon shift" means any shift finishing between 6 p.m. and midnight.

"Night shift" means any shift finishing between midnight and 8 a.m.

(6) CASUAL LABOUR.—Persons employed for less than two consecutive weeks shall be paid 10 per centum in addition to the rates prescribed in clause (2).

(7) ALLOWANCES.—(a) Persons employed cleaning tar distiller boiler where the artificial temperature is 130° Fahr. or less, shall be paid 4½d. per hour in addition to their ordinary wage.

(b) Persons employed cleaning tar distiller boiler where the artificial temperature exceeds 130° Fahr. shall be paid 6d. per hour in addition to their ordinary wage. Where work continues for more than two hours in temperatures exceeding 130° Fahr., employees shall be entitled to twenty minutes rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.

(8) SPECIAL RATES.—Double time shall be the rate payable for all work done on Sunday, Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday and 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 be payable only for work done on the day so substituted.

(9) HOLIDAYS AND ANNUAL LEAVE.—Employees shall be entitled to the following public holidays without deduction of pay:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Saturday and Easter Monday. Provided that any person who has been in the service of the same employer for a period of not less than twelve months shall be granted in addition all working days intervening between Christmas Day and New Year's Day. Should his services be terminated before the expiration of twelve months' service, or before the completion of any subsequent year of service, he shall be entitled in lieu of holidays to one day's pay for each two months of service.

(10) SICK LEAVE.—When 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.

(11) MEAL MONEY.—When an employee is required to work overtime in excess of one hour and a half, and has not been given notice accordingly on the previous working day, he shall be allowed an amount of 1s. 6d. for a meal.

(12) GLOVES.—Persons employed handling hot materials, drums of pitch, or corrosive materials shall be provided free of charge with suitable gloves by the employer.

(13) CLEANSING MATERIALS.—A suitable solvent and cotton waste shall be provided by the employer.

(14) RIGHT OF ENTRY OF UNION OFFICIALS.—The Secretary or any other official of the Australian Workers' Union duly authorized in writing by the said union shall not be prevented on production of such authority by any employer from visiting and conversing with employees at meal time or at any other time mutually agreed upon by the employer or his works manager and the said union secretary or other authorized official.

(15) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in clause (2) are based upon the following basic wage and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rate shall be automatically increased or decreased by the same amount, and at the same time, as such basic wage. Provided that the wages of improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause (16).

Basic Wage.

Place.	Basic Wage.	Additional Constant Loading.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 3 18 0	s. d. 6 0	Melbourne

(16) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in November, 1940, the amounts of the basic wage shall be as prescribed in clause (15).

(b) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer, or to be signed by or on behalf of the Commonwealth Statistician.

- (1) The index number set to be applied to a place is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period plus the additional constant loading as prescribed in clause 15.

TABLE.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
735-746	£ s. d. 3 0 0	871-882	£ s. d. 3 11 0
747-759	3 1 0	883-895	3 12 0
760-771	3 2 0	896-907	3 13 0
772-783	3 3 0	908-919	3 14 0
784-796	3 4 0	920-932	3 15 0
797-808	3 5 0	933-944	3 16 0
809-820	3 6 0	945-956	3 17 0
821-833	3 7 0	957-969	3 18 0
834-845	3 8 0	970-981	3 19 0
846-858	3 9 0	982-993	4 0 0
859-870	3 10 0		

H. L. JACKSON, P.M., Chairman.

J. R. MACPHERSON, Secretary.

Melbourne, 6th August, 1940.



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Factories and Shops Acts.

DETERMINATION OF THE TANNERS (FURRED SKINS) 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 appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of a tanner of all kinds of furred skins, or a dresser or a dyer of such skins," has made the following Determination, namely:—

(1) That on 23rd August, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.				Other Employees.			
WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.			
	Males.	Females employed in beaming, fleshing or slickering of any furred skins.	Other Females.	<i>Males.</i>			
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>				
14 to 15 years of age ..	15 0	} 51 0	14 0	Beam fleshers, pullers on upright knife, shavers ..	5	0	6
15 to 16 " ..	20 0		16 3	Operators of rotary shaving knife	5	5	0
16 to 17 " ..	27 6		21 0	Other males	4	5	0
17 to 18 " ..	34 9		27 9	<i>Females.</i>			
18 to 19 " ..	45 0		35 0	Females employed in beaming, fleshing, or slickering			
19 to 20 " ..	52 9		41 3	of any furred skins	5	0	6
20 to 21 " ..	65 6	85 0	Other females	2	11	0	

PROPORTION (IN ANY PLACE).	
<i>Apprentices and Male Improvers.</i>	
Two apprentices or improvers to every three or fraction of three workers receiving not less than the minimum wage.	
<i>Female Improvers.</i>	
One female improver to one, Three female improvers to two, And thereafter, Three additional female improvers to every two additional	} Female workers receiving not less than the minimum wage.
An indenture of apprenticeship prescribed by the Board was approved on 5th March, 1926.	

- (3) DEFINITIONS.—“Flesher” is an adult person removing flesh from raw wet skins on a beam or upright knife.
 “Shaver” is an adult person shaving partly dressed skins with a sharp-edged knife.
 “Puller” is an adult person employed pulling wet raw skins over an upright knife.
- (4) ORDINARY WEEK'S WORK.—The number of hours which shall constitute an ordinary week's work shall be 44.
- (5) TERMS OF EMPLOYMENT.—(a) That notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may 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 because of any strike, or 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 44 working hours' notice, except in circumstances referred to above, the employer may pay 44 hours' wages; and vice versa the employee leaving his employment without notice shall forfeit 44 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.
- (d) No employee shall, without just cause, be absent from his or her place of employment during the prescribed hours whilst there is work ready to be done by such employee, and where weekly wages are fixed the employee to be entitled to the sums so fixed must be available and ready and willing to do the work on the days and during the hours fixed by this Determination.
- (6) SHIFTS—
- (a) Day Shift.—The times of beginning and ending work shall be :—
- | Time of Beginning (not earlier than)— | | | | Time of Ending (not later than)— | | | |
|---------------------------------------|----|----|----|----------------------------------|----|----|---|
| 8 a.m. | .. | .. | .. | .. | .. | .. | 1 p.m. on Saturday. |
| 8 a.m. | .. | .. | .. | .. | .. | .. | 6 p.m. on the other working days of the week. |
- Provided that if the majority of the employees in any department desire to begin work at 7.30 a.m., the work may begin in that department at 7.30 a.m.
- (b) Afternoon, Night, or Other Shift—
- (i) Hours.—The hours of duty on any shift other than day shift shall be arranged mutually between the employer and the majority of the employees, providing that 9 hours shall be the maximum duration of such shift.
- (ii) Wages.—An addition of 5 per centum shall be added to the rates fixed for a day shift.
- (7) OVERTIME.—All time worked—
- (a) Outside the times of beginning and ending work prescribed in clause 6 (a) and agreed upon in 6 (b).
- (b) Within such times, but in excess of 44 hours in any one week shall be paid at the rate of time and a half for the first four hours' work and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.
- (8) HOLIDAYS.—All employees shall be granted the following holidays without deduction of pay, viz. :—Good Friday, Labour Day, Christmas Day, Boxing Day, New Year's Day, and the intervening working days between the two last named holidays. If any of the above holidays occur on a Saturday or a Sunday and are not observed on any other day, then employees shall not be paid for such Sunday and shall be paid for such Saturday as for a half day. Provided that any employee who has been in the service of an employer for less than six months shall only be entitled to holiday payment for one day of each month of service in lieu of the aforementioned holidays.
- When employment is terminated within twelve months and after three months' service, payment equivalent to one day's pay for each month of service shall be paid in lieu of the above holidays. Provided, however, that in no circumstances shall payment be made for more than ten holidays in any one year of service, the year to commence on 1st January.
- (9) SPECIAL RATES.—Double time shall be the rate for all work done on Sunday, New Year's Day, Good Friday, Labour Day (21st April), Christmas Day, or Boxing Day, and the intervening working days between Boxing Day and New Year's 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 only be payable for work done on the day so substituted.
- (10) MEAL TIME.—Meal time shall be taken between 12 noon and 2 p.m.
- (11) TOOLS AND APPLIANCES.—Every employer shall provide gloves, apron, leggings with vamps attached, or any tools or implements of trade required by employees in the performance of their duties.

R. J. EDWARDS. Chairman.

E. G. WILLIAMS. Secretary.

Melbourne, 8th August, 1940.