



# VICTORIA GOVERNMENT GAZETTE.

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[1941

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 which since the 18th February, 1941, 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 Excavation or Roadwork Board) wheresoever employed in the process, trade, business or occupation of—

- (i) tar distilling;
- (ii) manufacturing or preparing bituminous emulsions, tar distillates, asphaltic concrete, or other road surfacing preparations;
- (iii) manufacturing or preparing enamel made from tar pitch;

has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence after the 25th December, 1941, the adjusted Determination which came into operation as from the beginning of the first pay period to commence in November, 1941, shall be revoked and replaced by this Determination.

(2)

WAGE PER WEEK OF 44 HOURS.

Improvers.	Adjustable Rate.	Plus Conditions Allowance (Non-adjustable).		Total Wage.	Other Employees.	Adjustable Rate.	Plus Conditions Allowance (Non-adjustable).		Total Wage.
		s. d.	s. d.				s. d.	s. d.	
Under 19 years of age	83 9	3 0	66 9	Bitumen emulsion maker ..	103 0	3 0	106 0.		
19 y. a.s and under 20 years	75 3	3 0	78 3	Bitumen, tar or pitch kettle attendant (where direct heat by fire is used) ..	103 0	3 0	106 0		
20 y. a.s and under 21 years	79 9	3 0	82 9	Tar distiller and/or maker of pitch (T.I.C. type of plant)	102 0	3 0	105 0		
				Tar distiller and/or maker of pitch (other types of plants)	105 0	3 0	108 0		
				Tar acid still attendant ..	105 0	3 0	108 0		
				Weigher or measurer and/or mixer of asphaltic concrete or other pre-mixed materials ..	103 0	3 0	106 0		
				Pitch enamel maker (closed type of plant) ..	105 0	3 0	108 0		
				Pitch enamel maker (open type of plant) ..	For rate see clause 7 (c)				
				All others ..	100 6	3 0	103 6		

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 3 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 bitumen tanks and/or bitumen emulsion tanks shall be paid 4½d. per hour in addition to their ordinary wage.

(c) 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.

(d) Persons employed making pitch enamel (open type of plant) shall, whilst so employed, be paid the rate fixed for the work usually performed by them with the addition of 4d. per hour.

(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.—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.

(10) ANNUAL LEAVE.—Any employee who has been in the employment of the same employer for a period of not less than twelve consecutive months shall be granted with full pay six consecutive working days' annual leave exclusive of the holidays mentioned in Clause (9). 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.

(11) 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.

(12) 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.

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

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

(15) 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.

(16) 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 rates 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 (17).

*Basic Wage.*

Place.	Basic Wage.	Additional Constant Loading.	Index Number Set Assigned.
Within the area to which this Determination applies .. ..	£ s. d. 4 2 0	s. d. 6 0	Melbourne

(17) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in February, 1942, the amounts of the basic wage shall be prescribed in clause (16).

(b) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, 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 16.

TABLE.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
735-746 .. .. .	£ s. d. 3 0 0	908-919 .. .. .	£ s. d. 3 14 0
747-759 .. .. .	3 1 0	920-932 .. .. .	3 15 0
760-771 .. .. .	3 2 0	933-944 .. .. .	3 16 0
772-783 .. .. .	3 3 0	945-956 .. .. .	3 17 0
784-796 .. .. .	3 4 0	957-969 .. .. .	3 18 0
797-808 .. .. .	3 5 0	970-981 .. .. .	3 19 0
809-820 .. .. .	3 6 0	982-993 .. .. .	4 0 0
821-833 .. .. .	3 7 0	994-1006 .. .. .	4 1 0
834-845 .. .. .	3 8 0	1007-1018 .. .. .	4 2 0
846-858 .. .. .	3 9 0	1019-1030 .. .. .	4 3 0
859-870 .. .. .	3 10 0	1031-1043 .. .. .	4 4 0
871-882 .. .. .	3 11 0	1044-1055 .. .. .	4 5 0
883-895 .. .. .	3 12 0	1056-1067 .. .. .	4 6 0
896-907 .. .. .	3 13 0		

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

J. R. MACPHERSON, Secretary.

Melbourne, 10th December, 1941.