



VICTORIA

GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE PAINTERS BOARD.

NOTES.—(1) This Determination applies to the whole of the State of Victoria.

(2) Painting, Decorating, and Signwriting were proclaimed on 28th November, 1928, as apprenticeship trades under the "Apprenticeship Act 1927" for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne Street, Melbourne. (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which, since 7th August, 1933, has had the power to determine the lowest prices or rates which may be paid to any persons employed in the process, trade, or business of—

(a) Painting, other than ship painting or painting under the jurisdiction of any Wages Board heretofore appointed or hereafter to be appointed;

(b) Paperhanging;

(c) Sign or poster writing, and any work incidental thereto;

(d) Producing signs or posters by means of stencils, screens, or other like methods, and any work incidental thereto—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 24th July, 1945, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(a) Apprentices or Improvers.				(b) Juvenile Workers, i.e., Persons under 21 years of Age (other than Apprentices or Improvers) engaged in producing Signs or Posters by means of Stencils, Screens, or other like methods, or at any work incidental thereto.			
			WAGES. Per week of 44 hours.				WAGES. Per week of 44 hours.
			s. d.				s. d.
1st year's experience	..	..	17 0	1st year's experience	..	..	17 0
2nd "	"	"	28 0	2nd "	"	"	28 0
3rd "	"	"	38 5	3rd "	"	"	38 5
4th "	"	"	53 8	4th "	"	"	53 8
5th "	"	"	66 11	5th "	"	"	66 11

PROPORTION (BY ANY EMPLOYER).				PROPORTION.			
<i>Apprentices.</i>				(a) Where one screen table is in operation—			
One apprentice to every three journeymen or fraction of three journeymen employed.				Two juvenile workers to each person receiving not less than 134s. 8d. per week of 44 hours.			
In cases where not more than three journeymen are employed at the trades, a second apprentice may be employed on the completion, by the first apprentice, of the second year of his apprenticeship course.				(b) Where two or more screen tables are in operation—			
* <i>Improvers.</i>				For each two screen tables, four juvenile workers to each two fully-paid workers, provided that one of such fully-paid workers shall receive not less than 134s. 8d. per week of 44 hours.			
One improver to three	..	..	} workers receiving not less than 134s. 8d. per week of 44 hours.				
Two improvers to six	..	..			
Three improvers to twelve and there-	..	..			
after one additional improver to every	..	..			
twelve additional	..	..			

* Note—The employment, within the Metropolitan District, of any improver is illegal.

(c) OTHER EMPLOYEES.

	(i) Within 20 Miles of the Principal Post Office at Elizabeth street, Melbourne;		(ii) Within 5 Miles of the Post Office at Mildura;		(iii) Within the Gippsland District as defined herein (except within a radius of 3 Miles of the Post Office at Yallourn);		(iv) Within 10 Miles of the Principal Post Offices at Geelong and Warrnambool, respectively.		Within 3 Miles of the Post Office at Yallourn.	All Other Parts of Victoria.		
	WAGES.		WAGES.		WAGES.							
(A) All classes of work, other than the production of signs or posters by means of stencils, screens, or other like methods. Persons employed at— Sign or poster writing, graining or painting, or paper-hanging, or at any other work specified in (A) ..	Per hour.	Per week of 44 hours.	Per hour.	Per week of 44 hours.	Per hour.	Per week of 44 hours.	Per hour.	Per week of 44 hours.	Per hour.	Per week of 44 hours.		
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.		
(A) ..	3	0 ¹² / ₁₂	134	6	3	2 ⁵ / ₁₁	141	0	2	11 ¹⁹ / ₂₂	131	6
(B) Producing signs or posters by means of stencils, screens, or other like methods, or any work incidental thereto. Persons employed at— (i) Signwriting designing, forming or lettering any pictorial design, including the cutting of stencils .. (ii) Any other work specified in (B) ..	3	0 ¹⁰ / ₂₂	134	6	3	2 ⁵ / ₁₁	141	0	2	11 ¹⁹ / ₂₂	131	6
	2	3 ⁹ / ₁₁	101	0	2	5 ⁷ / ₂₂	107	6	2	2 ⁸ / ₁₁	98	0

Leading Hand, i.e., a tradesman who is given responsibility of direction and supervision of the work by his employer or by his employer's responsible representative of not fewer than five tradesmen shall receive in addition to his ordinary wage, allowances as follows —

- (a) If in charge of five tradesmen as aforesaid—1s. per day;
- (b) If in charge of more than five tradesmen as aforesaid, 1s. per day for being in charge of the first five tradesmen, plus an additional 1s. per day for each additional five, or fraction of five tradesmen in excess of such first five tradesmen.

NOTE.—The rates prescribed in Clause 2 (c) (above) include 3s. per week wartime loading (not adjustable), and, except rates prescribed in (b) (ii), 9s. 6d. as a disabilities loading (adjustable in accordance with the provisions of Clause 25 hereof).

TIMES OF BEGINNING AND ENDING WORK.

- 3. (a) Except as provided in sub-clause (b) hereof, the ordinary hours of work shall be 8 hours on five days a week (Monday to Friday inclusive), to be worked between 8 a.m. and 5 p.m., and 4 hours on Saturday to be worked between 8 a.m. and noon.
- (b) By agreement between an employer and the majority of his employees on the job, the ordinary hours for a week's work may be worked on five days between 7.30 a.m. and 5.30 p.m. (Monday to Friday inclusive) each day's work consisting of 8 hours 48 minutes.
- (c) The lunch hour break shall be not less than 42 minutes each day.

OVERTIME.

4. All work done outside of or in excess of the ordinary hours for a day's work as prescribed, shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

When working overtime for 2 hours or more, employees shall be allowed to take 20 minutes for crib immediately after the ordinary ceasing time, and thereafter 30 minutes for crib shall be allowed after each 4 hours of continuous work, such periods not to count as time worked.

An employee who has worked continuously (except for meal intervals) for 20 hours shall have a break of at least 12 hours before again starting work.

HOLIDAYS AND SUNDAY WORK.

5. Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Christmas Day, or Boxing Day; but if by Act of Parliament or Proclamation, any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

ALLOWANCES.

- 6. (i) The following extra rates shall be paid to any person on all work distant from a centre:—
 - (a) 1½ miles and up to 3 miles, ¾d. per hour extra;
 - (b) Over 3 miles and up to 5 miles, 1d. per hour extra;
 - (c) Over 5 miles and up to 10 miles, 1½d. per hour extra;
 - (d) Over 10 miles and up to 12 miles, 2d. per hour extra;
 - (e) Over 12 miles, 2½d. per hour extra, together with an additional allowance of 1s. per day.

Provided that an employer shall not be liable for such extra hourly rates when he conveys an employee to and from a job to a centre, nevertheless an employee shall not be under an obligation to use the conveyance provided by the employer unless the same is reasonable and convenient.

(ii) An employee engaged to proceed to work in such a locality as to necessitate his sleeping elsewhere than at his usual place of residence and where suitable board and lodging are not provided by the employer free, shall receive 10s. per day extra including Saturdays, Sundays, holidays, or days on which work is stopped for some cause for which the employee cannot be held responsible. Provided that the maximum amount to which he shall be entitled for any week he is so employed away from home shall not exceed 38s. 6d.

The employer shall convey the worker to and from the job free of charge or pay his fare. Ordinary rates shall be paid for such travelling time.

(iii) Time occupied in travelling during working hours shall be paid for at ordinary wages rates.

(iv) Any person who has travelled from a "centre" to a place of work, and is required, in the course of his employment, to travel further on the same day, shall be paid all fares necessarily expended in such further travelling.

SPECIAL RATES.

(Payable in addition to ordinary wages prescribed in clause 2.)

7. (a) *Swing Scaffold Work, and Ladder Work.*—Any person employed on a swing scaffold, or any scaffold suspended by a rope or cable, or any person employed on a ladder at a height of 35 feet or more above the nearest horizontal plane, shall be paid 1s. for the first four hours or any portion thereof, and 3d. per hour for each hour thereafter, on any day.

(b) *Scaffold Work.*—Any person employed on a scaffold (except a scaffold protected by a guard rail) at a height of 50 feet or more above the nearest horizontal plane, shall be paid 1s. for the first four hours or any portion thereof, and 3d. per hour for each hour thereafter, on any day.

(c) *Work in Wet Places.*—Any person required to work in a wet place (i.e., when water other than rain is flowing or dripping from overhead to such an extent as to saturate the clothing of the worker, or when the worker is required to work in water more than 2 inches deep), shall be paid 2d. per hour for each hour, or part thereof, he is so required to work. Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear.

(d) *Work in Hot Places.*—Any person required to work for more than one hour in the shade in places, (i) where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, shall be paid 1½d. per hour, (ii) in places where the temperature exceeds 130 degrees Fahrenheit, the additional amount to be paid shall be 3d. per hour. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay.

(e) *Work in Cold Places.*—Any person required to work for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, shall be paid 1½d. per hour. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.

(f) *Dirty Work.*—Any person required to do work which a foreman and workman shall agree is of an unusually dirty or offensive nature shall be paid 1½d. per hour.

(g) *Work in Confined Spaces.*—Any person required to work in a confined space (i.e., a compartment or space, access to which is through a manhole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and which is of a class not usually associated with the painting and decorating trade), shall be paid 3d. per hour.

(h) *Special Rates not Cumulative.*—Where more than one of the conditions entitling a workman to special rates exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the conditions so prevailing.

(i) *Rates not Subject to Penalty Additions.*—The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be taken into account when computing the penalty rate payable for overtime, or for work done on Sundays and holidays.

REST PERIOD.

8. There shall be a rest period of ten minutes from the time of ceasing to the time of the resumption of work, between the hours of 9 a.m. and 11 a.m., without deduction of pay.

PAYMENT OF WAGES.

9. (a) If employment is terminated by discharge, whether by notice or otherwise, all wages due up to the time of ceasing work shall be paid immediately on cessation of work.

(b) Except as provided in the preceding sub-clause, payment of wages and other moneys due shall be made not later than 5 p.m. on Thursday in each week. Provided that this provision may be varied by the mutual agreement of the employer and the majority of employees on any job.

TOOLS AND APPLIANCES.

10. (a) Each painter shall provide himself with an ordinary dusting brush and all necessary stripping and stopping knives hammer, hacking knife, screwdriver, and glazing knife.

(b) Each paperhanger shall provide himself with a lay-brush, scissors, rule, plumb-bob, chalk-line, and trimming knife (if he requires such an instrument), and also with surface and joint rollers.

(c) Each signwriter shall provide himself with a mahl-stick, rule, straight-edge, chalk-line, pencils and gilding cushion, mop, knife and tip.

If any employee is required to provide any tools or appliances other than those above enumerated, 6d. per hour in addition to the ordinary rates fixed by this Determination shall be paid by the employer. The employer shall supply all tools necessary for the use of apprentices.

MEAL MONEY.

11. Any employee who is called upon to work overtime for over two hours without receiving notice of such overtime on the previous day, shall be paid an allowance of two shillings and sixpence for a meal, or shall be supplied by the employer with a reasonable meal in lieu thereof.

SUPPLY OF HOT WATER.

12. The employer shall provide facilities to enable the employee to obtain an adequate supply of hot water at meal times.

CARE OF EMPLOYEES' TOOLS, ETC.

13. The employer shall make, in respect of each job, adequate arrangements to secure the proper care and safety of the employees' tools and gear when not in use.

TIME BOOK.

14. The employer shall keep at his centre a time book or a time-sheet in which shall be recorded indelibly the name of each worker and the following particulars:—

- (a) the number of hours worked each day;
- (b) the total number of hours worked each week;
- (c) the wages, amount for overtime, and allowances paid therefor.

TRANSPORT.

15. Where an employee is required to work overtime and no regular means of transport is available, the employer shall provide suitable transport to convey him to the job or his residence as the case may be. If the employer fails to provide such transport, he shall pay to the employee such reasonable amount as has been necessarily incurred by him.

WASHING TIME.

16. Each employee shall be allowed five minutes prior to the lunch interval and immediately prior to the time of ceasing work for the day in order to clean up and wash.

ANNUAL LEAVE.

17. (a) All employees shall be entitled to one week's holiday on full pay for each completed period of twelve months' continuous service with the same employer. Such holiday shall be granted at such time as is convenient to the employer not later than three months after it becomes due.

(b) If after six months' continuous service in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid one-sixth of a week's wage in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

ADDITIONAL ANNUAL AND SICK LEAVE FOR SPECIAL CIRCUMSTANCES.

18. When it is a constant condition of employment that an employee in a "Mixed Industry" is continuously required to work, or be on call for work on week ends (i.e. Saturdays and Sundays), such employee shall be entitled to:—

- (a) one week's additional leave with pay, and
- (b) payment for a maximum of 44 hours for sickness (duly certified) in any one year, provided that in the event of an employee not claiming payment in whole or in part in any year, the number of days not claimed shall be held to his credit the following year or years, subject to a maximum of 132 hours for sickness. For the purposes of sub-clause (b) hereof service prior to the 1st July, 1945 shall be disregarded. "Mixed Industry" means an industry where the work performed by painters (that is, any work to which this Determination applies) is subsidiary and auxiliary to the chief and principal purpose and business of such industry.

EMPLOYEES REPORTING FOR DUTY.

19. An employee notified to commence duty and actually attending for duty, when notified by the employer or his representative that his services are not required shall be paid for two hours as time worked.

WAITING TIME.

20. An employee who is required to attend for work and is kept waiting to commence work by instructions of the employer or his representative, shall be paid at his ordinary rate of pay for the time he is so kept waiting.

DEFINITIONS.

21. "Gippsland District" shall mean the following area, viz. —From Hallam (beyond Dandenong) to the south to Lyndhurst Wonthaggi, across to Port Albert, to Orbost, to Bringalong, to Walhalla, to Noojee, to Hallam.
"Centre" shall mean the employer's usual place of business.

PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rates set out in clause 2 (c) are based upon the following basic wage for adult males, and, pursuant to 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.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause 23.

Place.	Needs Basic Wage for Adult Males (adjustable).	Loading (Constant).	Total Basic Wage for Adult Males.	Index Number Set Assigned.
	£ s. d.	£ s. d.	£ s. d.	
Within 20 miles of the Principal Post Office at Elizabeth-street, Melbourne—Males	4 12 0	0 6 0	4 18 0	Melbourne
Within 10 miles of the principal Post Offices at Geelong and Warrnambool respectively—same as the contemporaneous basic wage for Melbourne.				
Within 5 miles of the Post Office at Mildura; within the Gippsland District as herein defined (except Yallourn)—same as the contemporaneous basic wage for Melbourne.				
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week.				
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.				

ADJUSTMENT OF BASIC WAGE FOR ADULT MALES.

23. (a) Until the beginning of the first pay period to commence in August, 1945, the amounts of the basic wage shall be as prescribed in clause 22.

(b) During each future period of or near a quarter beginning with the first pay period to commence in an August, a November, a February, or a May, the amounts of the needs 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 thereto in clause 22.
- (2) The Index Number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.
- (3) The amounts assigned in the following table (or any extension thereof) to the Index Number Division comprising that Number are to be ascertained.
- (4) The needs basic wage shall be those assigned amounts during such period of or near a quarter.

Table.

Index Number Divisions.				Basic Wage.	Index Number Divisions.				Basic Wage.
				£ s. d.					£ s. d.
994-1006	..	..	..	4 1 0	1118-1129	..	..	..	4 11 0
1007-1018	..	..	..	4 2 0	1130-1141	..	..	..	4 12 0
1019-1030	..	..	..	4 3 0	1142-1154	..	..	..	4 13 0
1031-1043	..	..	..	4 4 0	1155-1166	..	..	..	4 14 0
1044-1055	..	..	..	4 5 0	1167-1179	..	..	..	4 15 0
1056-1067	..	..	..	4 6 0	1180-1191	..	..	..	4 16 0
1068-1080	..	..	..	4 7 0	1192-1203	..	..	..	4 17 0
1081-1092	..	..	..	4 8 0	1204-1216	..	..	..	4 18 0
1093-1104	..	..	..	4 9 0	1217-1228	..	..	..	4 19 0
1105-1117	..	..	..	4 10 0	1229-1240	..	..	..	5 0 0

Any extension of this table must be of the same construction as the table.

ADJUSTMENT OF WAGES OF APPRENTICES, IMPROVERS, AND JUVENILE WORKERS.

24. The wages rates of apprentices, improvers, and juvenile workers as prescribed in clause 2, shall be automatically adjusted to accord with the wages rates, as adjusted from time to time, for apprentices in the metropolitan district who are under the jurisdiction of the Apprenticeship Commission.

ADJUSTMENT OF DISABILITIES LOADING.

25. The disabilities loading set out, and included as part of the ordinary wage in clause 2 (c) (A) and (B) (i) represents approximately 22 days' pay per annum in payment or compensation for —

- (a) The holidays prescribed in clause 5;
- (b) Four days' sickness each year;
- (c) Disabilities ordinarily associated with the trade, such as having to cease work in wet weather, following the job, and working on scaffolding, to the extent that these are not otherwise provided for.

The existing disabilities loading of 9s. 6d. per week is based upon a Needs Basic Wages Group of 91s. to 95s. per week, and shall be automatically adjusted by increasing or decreasing the allowance by 6d. for each increase or decrease of 5s. (in the aggregate) of such Needs Basic Wage Group as shown in the schedule hereunder —

Basic Wage Group.	Disabilities Loading Payable.
86s. to 90s. (inclusive) per week	9s. per week
91s. to 95s. ,, ,, ,, ,, ,, ,,	9s. 6d. ,,
96s. to 100s. ,, ,, ,, ,, ,, ,,	10s. ,,

Any extension of this table must be of the same construction as the table.

Should any increase or decrease of the disabilities loading take place as the result of the operation of this clause, a corresponding increase or decrease as the case may be shall be made in the ordinary wages rates prescribed in clause 2 (c) (A) and (B) (i) hereof.

A. V. BARNES, J.P., Chairman

J. W. RYAN, Secretary.

Melbourne, 3rd August, 1945.