



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 168]

TUESDAY, DECEMBER 18.

[1945

Factories and Shops Acts.

DETERMINATION OF THE BUILDERS' LABOURERS 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 first pay period to commence in December, 1937, 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 bolting structural ironwork in position, heating rivets, and holding up for boilermakers) employed in the occupation of—

- (a) builder's labourer on or about any building, or assisting any bricklayer, mason, plasterer, carpenter, plumber, or any other tradesman engaged in building operations;
- (b) labourer engaged in the construction, repair, demolition, or removal of buildings and bridges;
- (c) scaffolder, gear hand, gantry hand, crane hand, or dogman, or as a drainer on work in connexion with buildings;
- (d) labourer excavating ground for foundations or basements of buildings, or levelling ground on a proposed building site;
- (e) labourer doing concrete work or mortar mixing in connexion with or incidental to building construction;
- (f) labourer doing tar-paving or asphaltting work, or other work of a similar character in connexion with or incidental to building construction;
- (g) labourer cleaning bricks on a site on which a building is being demolished, repaired, or constructed.

has made the following Determination, namely:—

- (i) That as from the operative date as prescribed in clause (ii) hereof, the last previous Determination of this Board shall be revoked and replaced by this Determination.

- (ii) (a) Part I. hereof, with the exception of clause 13 (Work on Public Holidays) shall come into force from the beginning of the next pay period to commence after the 22nd October, 1945, and shall continue in force whilst the Building Trades of Victoria Award of the Commonwealth Court of Conciliation and Arbitration remains in force.

Clause 13 (Work on Public Holidays) shall come into operation as from the 23rd November, 1945, and shall continue in operation whilstsoever the other provisions of this Part remain in operation.

If and when the provisions of this Part cease to apply by virtue of the limitation prescribed in the first paragraph all employees covered by the said provisions will automatically be subject to the provisions of Part II. hereof.

- (b) Part II. and Part III. hereof shall come into force from the beginning of the next pay period to commence after the 22nd October, 1945.

PART I.

1. This part applies only in respect of the employment of persons on the construction renovation repair alteration or demolition of buildings performed on the site thereof, and in particular it shall have no application—

- (i) to employment by an employer in any industry where the work performed by the employee is subsidiary or auxiliary to the chief and principal purpose and business of such industry; or
- (ii) to employment in workshops or joinery mills.

2.

WAGES.

	Per Week.	Per Hour.
	£ s. d.	s. d.
Builders' labourers—		
Skilled	7 0 3	3 2½
Unskilled	6 8 4	2 11

For the purposes of this clause a builder's labourer shall be deemed to be skilled if employed at any of the following occupations:—steel structural erector (on steel frame building); gear hand rigger, pile driver, tackle hand, gantry hand, dogman, scaffolder (erecting rope scaffolding on buildings exceeding two stories above ground level), hod carrier, powder monkey, drainer, jackhammerman, and winch or hoist driver.

All other builders' labourers shall be deemed to be unskilled.

GENERAL PROVISIONS.

3. Where the employer has made a payment, which payment purports to be a payment of the wages payable to an employee for any period, the employer shall not be liable to pay to such employee any further sum prescribed by this Determination in respect of any services rendered to the employer during such period, unless within three months after the last day of such period a demand in writing of such further sum claimed has been made to the employer by such employee or by some person on his behalf and/or if proceedings to recover the amount claimed are not taken within nine months.

Wherever in this Determination time worked is required to be paid for at more than the ordinary rate, such time shall not be subject to more than one penalty, but shall be subject to that penalty which is to the employee's greatest advantage.

SPECIAL RATES.

4. Employees when working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, shall be paid 1½d. per hour extra; employees when working in places where the temperature exceeds 130 degrees Fahrenheit shall be paid 3d. per hour extra. 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. The temperature shall be decided by the representative of the employer after consultation with the employees who claim the extra rate.

Employees when working for more than one hour in places where the temperature is reduced by artificial means below zero, shall be paid 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes after every two hours without loss of pay.

HOURS.

5. The ordinary hours shall be 44 per week to be worked in five or five and a half days, the daily hours being respectively 8 hours 48 minutes Monday to Friday inclusive or 8 hours Monday to Friday inclusive and 4 hours on Saturday between the hours of 7.30 a.m. and 5.30 p.m. Monday to Friday inclusive and 7.30 a.m. to 12 noon on Saturday. The lunch break shall be not less than 42 minutes.

OVERTIME.

6. (a) Except as hereinafter provided, all time on duty beyond the ordinary hours of duty hereinbefore provided shall be paid for at the rate of time and a half for the first two hours and at the rate of double time thereafter.

(b) As far as practicable employees shall not be required to work overtime.

(c) In computing overtime each day's work shall stand alone.

(d) For the purpose of computing overtime each fraction of a quarter of an hour shall be paid for as if it were a full quarter of an hour.

(e) In the case of employers employing members in a continuous process, all time on duty beyond 8 hours per day or beyond 44 hours per week shall be paid for at the rate of time and a half for the first four hours and at the rate of double time time thereafter, except where the excess time of duty—

(i) is by arrangement between the employees themselves; or

(ii) is for the purpose of effecting the customary weekly rotation of shifts; or

(iii) is due to the fact that the relieving man does not come on duty at the proper time.

INCLEMENT WEATHER.

7. Each employee shall be paid an allowance at ordinary rates for time lost through inclement weather, subject to the following conditions:—

(i) That such allowance shall not exceed the equivalent of eight hours' pay in any one week.

(ii) That weather shall not be regarded as inclement for the purposes of this clause, unless the employer or his representative on the job, and a representative of the men on such job, agree that it shall be so regarded. Failing such agreement weather shall not be regarded as inclement and work shall continue.

(iii) Any intermission of work owing to inclement weather so regarded as aforesaid shall immediately cease and work shall be immediately resumed on the employer or his representative calling for a resumption of work.

(iv) An employee shall not be entitled to payment as provided for in this clause, unless he remains on the job until a decision to cease work for the day has been made by agreement between the employer or his representative and a representative of the men.

(v) The intermission of work by employees who would be exposed to or working in inclement weather so regarded in accordance with this clause shall not be a ground for intermission of work in places where employees are not so exposed to or are not called upon to work in such inclement weather.

ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

8. (a) The following payments shall be made in lieu of fares and travelling time within the radii named using G.P.O., Melbourne (cr. Bourke and Elizabeth streets) or the principal post offices at Ballarat, Bendigo, and Geelong as centres:—

	<i>s.</i>	<i>d.</i>
Up to and including 12 miles	2	0
Over 12 miles and including 20 miles	2	6
Over 20 miles and including 30 miles	3	0

These allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 1s. 4d. per day travelling allowance shall be paid.

(b) Where fares are necessarily incurred on distant jobs, as defined in clause 11, or on work performed outside the radii named in sub-clause (a) hereof the provisions of that sub-clause shall apply except that the local Post Office shall be the centre.

TRANSFER FROM JOB TO JOB.

9. An employee transferred by the employer from one job to another job on the same day shall be paid for the time occupied in travelling as for time worked and the cost of such transfer shall be borne by the employer.

EMPLOYEE CALLED FOR WORK.

10. (a) An employee notified to commence duty and actually attending for duty and who is notified by the employer or his representative that his services are not required, shall be paid for two hours as time worked.

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

(c) The provisions of sub-clauses (a) and (b) hereof shall not apply where one hour's previous notice that he will not be required to take up duty at the commencement of work has been given to the employee personally or left at his residence provided that if the employee has not given his address to the employer then the employer shall not be required to pay as prescribed by these sub-clauses.

(d) The provisions of sub-clauses (a) and (b) hereof shall not apply in cases where work cannot be commenced or continued on account of wet weather.

ALLOWANCE IN RESPECT OF DISTANT JOBS.

11. (a) When distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause; the allowance to be made shall be—

	<i>s.</i>	<i>d.</i>
For less than a full week	10	0
For a full working week at the rate of	42	0

(b) In lieu of the payments prescribed in clause 8 (a) of this Part an employee to whom sub-clause (a) applies shall be paid travelling time (not exceeding ordinary working hours per day) at ordinary rates of pay, and, where incurred, second-class return fare, and 5s. to cover expense of reaching his home railway station and transport of tools if any cost necessary. Provided that the return fare shall not be payable if the employee is dismissed for misconduct or is held incompetent within one week of starting work or leaves within one month of engagement. Travelling time shall be calculated as from Spencer-street and Flinders-street Railway stations or the home Central Railway Station (if residing in the country) to destination by rail or usual travelling facilities.

(c) If an employee elects to return to his home at the week end after three months of continuous service and thereafter at three-monthly periods he shall be paid a second-class return fare (Victorian Railways only) on the pay day which immediately follows the date on which he returns to the job.

If the work upon which the employee is engaged will terminate in the ordinary course within a further 28 days after the expiration of three months this sub-clause shall not apply.

ALLOWANCE IN RESPECT OF MEALS.

12. Where an employee is required to work overtime in excess of one hour and has not been given notice of same on the previous working day, he shall be allowed an amount of 2s. 6d. for a meal. When working overtime for two hours or more, employees shall be allowed to take, without deduction of pay, 20 minutes for crib immediately after the ordinary ceasing time, and thereafter 30 minutes for crib shall be allowed after each four hours of continuous work. Provided that where an employee works overtime for two hours without taking the prescribed interval of 20 minutes, he shall be deemed to have worked two and one-third hours.

WORK ON SUNDAYS AND PUBLIC HOLIDAYS.

13. Double time shall be paid for work performed on Sundays and New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday, King's Birthday, Melbourne Cup Day, Boxing Day, and Christmas Day.

EXCESS OF HOURS.

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

REST PAUSE.

15. (a) There shall be a rest period of ten minutes from the time of ceasing to the time of resuming work between the hours of 9.30 a.m. and 11 a.m. without deduction of pay.

(b) The employer shall provide facilities to enable the employees to obtain an adequate supply of boiling water at meal times and rest periods.

ANNUAL LEAVE.

16. (a) Subject to the provisions of sub-clauses (c) and (d) hereof, a period of fourteen consecutive days inclusive of public holidays occurring during the period shall be allowed as leave annually to all employees after twelve months' continuous service (less the period of annual leave) with an employer. Unless otherwise mutually agreed upon between an employer and the employee concerned, in which case the leave shall be given and taken within three months of becoming due, such leave shall be given and taken in conjunction with the Christmas and New Year holidays.

(b) If after 88 hours' continuous service, excluding overtime, in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer, the employee shall be paid $\frac{1}{14}$ th of a week's wage in respect of each completed 88 hours of continuous service in respect of which leave has not been granted hereunder.

(c) Where an employee absents himself from work during any qualifying period of service for any reason other than a reason set out in sub-clause (d) hereof, the amount of leave or payment in lieu to which he would otherwise be entitled under sub-clauses (a) and (b) hereof, shall be reduced by $\frac{1}{30}$ th for each week or part thereof during which any such absence occurs.

(d) For the purpose of administering the provisions of this clause, service shall be deemed to be continuous notwithstanding an employee's absence from work for the following reasons:—

(i) Injury received during the course of employment and for which an employee received Worker's Compensation—up to a maximum period of two months.

(ii) Any reason satisfactory to the employer or, in event of dispute, the Secretary for Labour.

(iii) Where called up for military service up to three months in any qualifying period.

(e) Each employee before going on leave, shall be paid in advance the wage which would ordinarily accrue to him during the currency of the leave.

(f) Service before the 1st day of October, 1945, shall be disregarded for the purpose of calculating annual leave.

(g) Notwithstanding anything elsewhere contained in this Determination, an employer giving leave at the Christmas-New Year period may, at his option either:—

(i) Stand off without pay during the period of leave any employee who has not then qualified for the full period; or

(ii) Stand off for the period of leave any employee who has not then qualified for fourteen consecutive days' leave and pay him pro rata for the leave for which he has then qualified on the basis of one-thirteenth of week's wages in respect of each 88 hours' consecutive service (exclusive of overtime) during his current qualifying twelve-monthly period.

PAYMENT OF WAGES.

17. Wages, allowances, and other monies due shall be paid not later than the time of ceasing work on Thursday of each working week, or otherwise by mutual arrangement. On termination of employment by the employer all wages allowances, and other monies shall be paid at the time of dismissal.

INSPECTION OF TIME SHEETS AND BOOKS.

18. The Secretary for Labour may authorize at any time (except pay day) or place, the inspection of all wages sheets, time sheets or other wages records by a person nominated by the Australian Builders Labourers' Federation and approved by the Secretary for Labour, provided that 24 hours' notice of such inspection is given to the employer.

SHIFT WORK.

19. Within half a mile from the General Post Office at Melbourne the employer may carry on demolition and/or building work or work incidental thereto by shifts subject to the following conditions:—

(a) Up to three shifts may be worked, namely, morning shift, afternoon shift, and night shift.

(b) As far as practicable shifts shall be worked in rotation.

(c) The hours of work in each shift be as follows:—

- (i) Night shift from midnight Sunday to 7 a.m. Monday, from 11 p.m. Monday to 7 a.m. Tuesday, from 11 p.m. Tuesday to 7 a.m. Wednesday, from 11 p.m. Wednesday to 7 a.m. Thursday, from 11 p.m. Thursday to 7 a.m. Friday, and from 11 p.m. Friday to 7 a.m. Saturday.
Day shift from 7 a.m. to 3 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday.
Afternoon shift from 3 p.m. to 11 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday with an allowance of half an hour in each shift for a meal.
 - (ii) The wages to be paid to builders' labourers as such who are employed on the said works shall be as follows:—
Morning shift—Ordinary rate.
Afternoon shift—Time and one-eighth.
Night shift—Time and a quarter.
 - (iii) All time on duty in each shift beyond the hours of work mentioned shall be paid for at the rate of time and a half for the first two hours and double time thereafter.
 - (iv) That any builder's labourer properly presenting himself for work and no work being then available for him shall be allowed and paid two hours wages at shift rates.
 - (v) That so far as possible 44 hours' work shall be made available for each builder's labourer in each week.
 - (vi) That in the event of any builder's labourer having to cease work on account of any stoppage operations after trams and trains have ceased running, provision shall be made by the employer for conveying him to his home or alternatively he shall be paid in respect thereof two hours wages.
- (d) If it is desired to work shifts in any other place then the question shall be referred to the Secretary for Labour and he shall determine whether under all the circumstances it is proper for the work to be carried on by shift. If he should so determine, then the above provisions relating to shift work shall apply.
- (e) Except where inconsistent with the provisions of this clause the other provisions of this Determination shall apply to such work.

SANITARY CONVENIENCES.

20. Suitable and adequate sanitary conveniences shall be provided by the employer. Sanitary conveniences shall not be regarded as suitable within the meaning of this determination unless they are enclosed and fitted with a door and roofed, and contain a proper seat and sufficient quantity of lime.

SUPPLY OF WATER.

21. Employers shall provide pure drinking water for employees. Where the water is not conveyed by pipe it shall be kept in a covered receptacle.

FIRST AID.

22. (a) A sufficient first aid chest shall be supplied and maintained by the employer and shall be kept under the control of a responsible person in a place accessible to the employees. In case of any dispute as to the adequacy of any first aid equipment the matter shall be referred to the Secretary for Labour.

(b) An employee meeting with an accident on the job necessitating his removal to hospital or to a doctor for medical attention shall be conveyed by ambulance or other suitable conveyance at the expense of the employer.

LOADS.

23. (a) No employee shall be required to carry more than the following loads by hod:—

- Up to a height of 15 feet—12 bricks.
- Over a height of 15 feet—10 bricks.

(b) In cases where bricks are carried by wheelbarrow the employee shall not be required to carry more than 36 bricks in a load on scaffolding at a height of more than 15 feet from the ground, or more than 40 bricks in a barrow in any other place.

If any other barrow than that which is commonly in use at the time of this determination is introduced by an employer then any question as to the load which may be carried in such barrow shall be determined by the Secretary for Labour.

TOOLS.

24. The employer shall supply all tools required for the work of any builder's labourer employed by him, free of cost or charge to the employee.

CHANGE HOUSE.

25. Where practicable and where not less than a total of fifteen men are employed the employer shall provide a suitable change house for the keeping of the clothes of the workmen employed. No cement, lime or building materials shall be stored in such change house.

WET PLACES.

(a) Where an employee is obliged by the employer to work spreading or packing wet concrete so that his boots are liable to become saturated, then the employer shall provide the employee with gum boots.

(b) Where an employee is obliged to work in conditions where boots become saturated with water, the employer shall supply the employee with gum boots for use on such work.

(c) If an employee is required to work in a place in which water is continually dripping from overhead so as to saturate the clothing of the employee he shall be provided with an oilskin coat so as to protect him from getting wet or in lieu thereof shall be paid 1s. extra for the day whatever amount of work may be done by him on such day.

DEFINITIONS.

26. For the purposes of this Determination—

"Continuous process" means a process in which during an unbroken period of not less than one week operations are continued during all the hours of the day from midnight to midnight or during sixteen hours of the day. Such a process shall be deemed to be a continuous process even if, through no fault of the employer, the work ceases for a time to be carried on.

"Shift worker" in a continuous process means an employee engaged for not less than a week in such continuous process.

CONTRACTING, SUB-CONTRACTING.

27. (a) No employer shall permit any of the classes of work covered by this Determination to be carried on by a contractor or other person except in accordance with the terms and conditions of this Determination as if the contractor or other person were himself an employer and bound by this Determination.

(b) No employer shall enter into any contract for the carrying on of any of the classes of work covered by this Determination by any contractor unless the contract contains a clause binding the contractor to pay the rates and observe the conditions set out in this Determination in respect of the work contracted for, and unless a clause is inserted in any such contract to the effect that the employer can determine the contract if there is any breach of the condition above referred to.

TERMINATION OF EMPLOYMENT.

28. One hour's notice of termination of employment shall be given by either employer or employee or one hour's pay shall be paid or forfeited in lieu thereof.

Such hour shall be allowed the employee to gather, clean, pack, and transport his tools.

PART II.

1. This Part applies in respect of the employment of all persons coming within the ambit of the Determination, other than those provided for in Part I. hereof.

	Wages per Week—		
	Adjustable Rate.	Plus War Loading (Non Adjustable).	Total Wage.
WAGES OF WEEKLY EMPLOYEES.			
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
2. (a) Labourer employed as steel structural erector (on steel frame building), gear hand, rigger, pile driver, tackle hand, gantry hand, dogman, scaffolder (erecting rope scaffolding on buildings exceeding two stories above ground level), powder monkey, drainer, jackhammerman, and winch or hoist driver. Provided always that men employed doing labouring work assisting these classifications shall be paid under sub-clause (b) hereof	110 0	3 0	113 0
(b) Builders' labourers in occupations other than those set out in sub-clause (a) ..	104 0	3 0	107 0

WAGES OF CASUAL EMPLOYEES.

3. Builders' labourers shall, subject to the conditions hereinafter set out, be deemed to be and shall be paid as casual employees for the first six months of their employment. At the end of six months employees who have been continuously employed for that period without loss of time on all usual working days and with loss of time if such is due to the fault of the employee shall be deemed thereafter to be continuously employed and shall be paid not less than the weekly rate herein prescribed. The period of six months referred to in this clause may have been served during or before or partly during and partly before the date of the coming into operation of this Determination.

Casual employees shall be paid not less than the following per hour:—

	For a 44-hour Week.	For a 48-hour Week.
	<i>s. d.</i>	<i>s. d.</i>
(a) If doing the work set out in (1) (a) above	2 11½	2 8½
(b) If doing the work set out in (1) (b) above	2 9½	2 6½

GENERAL PROVISIONS.

4. Where the employer has made a payment, which payment purports to be a payment of the wages payable to an employee for any period, the employer shall not be liable to pay to such employee any further sum prescribed by this Determination in respect of any services rendered to the employer during such period, unless within three months after the last day of such period a demand in writing of such further sum claimed has been made to the employer by such employee or by some person on his behalf and/or if proceedings to recover the amount claimed are not taken within nine months.

Wherever in this Determination time worked is required to be paid for at more than the ordinary rate, such time shall not be subject to more than one penalty, but shall be subject to that penalty which is to the employee's greatest advantage.

SPECIAL RATES.

5. Employees when working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, shall be paid 1½d. per hour extra; employees when working in places where the temperature exceeds 130 degrees Fahrenheit shall be paid 3d. per hour extra. 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. The temperature shall be decided by the representative of the employer after consultation with the employees who claim the extra rate.

Employees when working for more than one hour in places where the temperature is reduced by artificial means below zero, shall be paid 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes after every two hours without loss of pay.

FARES AND ALLOWANCES.

6. (a) When engaged on country work (as hereinafter defined) an employee shall, if the locality of such work be more than 20 miles from the General Post Office at Melbourne, be entitled to an additional payment at the rate of 3d. per hour provided that if the locality of the work renders it reasonably necessary for him to sleep at a place other than his usual place of residence, he shall be entitled to an additional payment at the rate of 5s. per day for seven days in lieu of the additional payment at the rate of 3d. per hour hereinafter mentioned.

(b) When engaged on country work (as hereinafter defined) an employee shall be entitled to fares necessarily incurred in travelling from and to his centre and to payment for his time of travelling from and to his centre (not exceeding eight hours per day) at ordinary rates of payment.

(c) When engaged on work not being country work (as hereinafter defined) an employee, not deemed to be continuously employed (as hereinafter defined), shall be paid for each day on which he attends for work at the job, an allowance equivalent to one quarter of an hour's payment at his ordinary rate of payment for that day, and in addition thereto he shall also be paid a further allowance at the rate of 2s. 6d. per week or, in the event of his attending for work at the job for less than six days in the week at the rate of 6d. per day for each day on which he so attends for work.

(d) A fare shall be deemed to be necessarily incurred under this clause, or such additional payment shall be made if the employee use a bicycle or other means of locomotion or walk instead of using a public conveyance, but a fare shall not be deemed to have been so incurred and payment shall not be required to be made where the employer provides or offers to provide a reasonable conveyance free of charge.

(e) For the purpose of sub-clause (a) hereof the Post Office at the corner of Bourke and Elizabeth-streets, Melbourne, shall be deemed to be the General Post Office at Melbourne.

PUBLIC HOLIDAYS.

7. Employees other than casual employees shall be entitled to the following days (referred to herein as "public holidays") on full pay, namely:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, or such days as are observed from time to time as substitutes for such days respectively in a city or locality: Provided always that if any of the above-mentioned holidays fall on a Saturday or Sunday where a week of six days is worked only the half day in the case of Saturday shall be observed and in the case of Sunday no holiday shall be allowed excepting where a day is generally observed in the locality as a substitute. Provided also that in the case of a five-day week no holiday shall be allowed on a Saturday or Sunday excepting on such a substituted day: And provided further that such employees when engaged in another industry shall be entitled only to the public holidays prescribed for the majority of employees in such other industry.

TRANSFER FROM JOB TO JOB.

8. An employee transferred by the employer from one job to another job on the same day shall be paid for the time occupied in travelling as for time worked and the cost of such transfer shall be borne by the employer.

EMPLOYEES CALLED FOR WORK.

9. (a) An employee notified to commence duty and actually attending for duty and who is notified by the employer or his representative that his services are not required, shall be paid for two hours as time worked.

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

(c) The provisions of sub-clauses (a) and (b) hereof shall not apply where one hour's previous notice that he will not be required to take up duty at the commencement of work has been given to the employee personally or left at his residence provide that if the employee has not given his address to the employer then the employer shall not be required to pay as prescribed by these sub-clauses.

(d) The provisions of sub-clauses (a) and (b) hereof shall not apply in cases where work cannot be commenced or continued on account of wet weather.

PAYMENT OF WAGES.

10. (a) Wages accrued may be paid on any day of the week, Monday to Friday inclusive, and shall be paid at or before the cessation of work.

Provided always that—

(i) an employer shall not keep more than one day's pay in hand;

(ii) an employee whose service ends before pay time shall be paid at or before the time of its ending, or shall be paid by post or otherwise within 24 hours thereafter;

(iii) in the case of a mixed industry, payment of wages shall be made in accordance with the practice prevailing for the majority of the employees in such mixed industry.

(b) If wages be not paid within the periods prescribed the employee shall be paid at ordinary rates for all time in excess of fifteen minutes beyond such time until the wages are paid or posted to his last known place of address.

TERMINATION OF EMPLOYMENT.

Casual employment may be terminated by the employee on giving not less than one hour's notice or by the employer on giving not less than one hour's notice or by the payment of one hour's pay.

HOURS OF LABOUR.

12. (a) Except as herein provided the ordinary hours of duty shall be 44 per week to be worked on five days of eight hours and one day (Saturday) of four hours between the hours of 8 a.m. and 5 p.m., with one hour's interval for a meal on week days, and 8 a.m. and noon on Saturday: Provided always that an employer may agree with the Australian Builders Labourers' Federation to vary the hours of starting and finishing work or to work a five-day week within such hours as may be agreed upon or as may be determined by a Board of Reference in default of such agreement. The Board of Reference shall for the purpose of this determination consist of the Chairman of this Wages Board, the President of the Victorian Branch of the Australian Builders Labourers' Federation, and the President of the Master Builders Association, or the respective occupants of those positions for the time being.

(b) Where the standard hours in an employer's industry exceed 44 per week, the hours of duty shall be the standard hours in that particular industry.

(c) The ordinary hours of duty of employees engaged in a continuous process shall be 48 per week to be worked as to day workers eight and three-quarter hours on ordinary week days between 7.30 a.m. and 5 p.m., with three-quarters of an hour interval for a meal, and four and a quarter hours on Saturday between 7.30 a.m. and 11.45 a.m., and as to shift workers eight hours per shift.

(d) Builders' labourers attending on or assisting tradesmen whose ordinary hours of duty are more than 44 per week shall work the hours of such tradesmen and such builders' labourers shall be entitled only to overtime for work done in excess of such hours.

(e) In the case of a mixed industry, builders' labourers shall conform to the daily hours and meal time of the tradesmen they assist.

OVERTIME.

13. (a) Except as hereinafter provided, all time on duty beyond the ordinary hours of duty hereinbefore provided shall be paid for at the rate of time and a half for the first two hours and at the rate of double time thereafter.

(b) As far as practicable employees shall not be required to work overtime.

(c) In computing overtime each day's work shall stand alone.

(d) For the purpose of computing overtime each fraction of a quarter of an hour shall be paid for as if it were a full quarter of an hour.

(e) In the case of employers employing members in a continuous process, all time on duty beyond 8 hours per day or beyond 44 hours per week shall be paid for at the rate of time and a half for the first four hours and at the rate of double time thereafter, except where the excess time of duty—

(i) is by arrangement between the employees themselves; or

(ii) is for the purpose of effecting the customary weekly rotation of shifts; or

(iii) is due to the fact that the relieving man does not come on duty at the proper time.

MEAL HOURS.

14. (a) For work done during meal periods and thereafter until a meal period break is allowed time and a half rates shall be paid. Where owing to the requirements of the work it is necessary for an employee to work beyond noon then the meal period of such employee shall commence not later than 1 p.m.

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

(c) Before starting overtime after working ordinary hours a meal period 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.

SUNDAY AND HOLIDAY WORK.

15. (a) Except as hereinafter provided, all time on duty on Sundays or public holidays (as herein defined) shall be paid for at the rate of double time.

(b) In the case of an employer employing workers continuously, all time on duty on Sundays or on the public holidays observed by the majority of the employees in the establishment concerned shall be paid for at the rate of double time.

(c) Notwithstanding the provisions of sub-clauses (a) and (b) hereof employees engaged in repairs or renewals of their employer's plant or machinery necessary for the resumption of work the next following working day shall on public holidays or Sundays be paid at the rate of time and a half.

SHIFT WORK.

16. Within half a mile from the General Post Office at Melbourne the employer may carry on demolition and/or building work or work incidental thereto by shifts subject to the following conditions:—

(a) Up to three shifts may be worked, namely, morning shift, afternoon shift, and night shift.

(b) As far as practicable shifts shall be worked in rotation.

(c) The hours of work in each shift be as follows :—

(i) Night shift from midnight Sunday to 7 a.m. Monday, from 11 p.m. Monday to 7 a.m. Tuesday, from 11 p.m. Tuesday to 7 a.m. Wednesday, from 11 p.m. Wednesday to 7 a.m. Thursday, from 11 p.m. Thursday to 7 a.m. Friday, and from 11 p.m. Friday to 7 a.m. Saturday.
Day shift from 7 a.m. to 3 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday.
Afternoon shift from 3 p.m. to 11 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday with an allowance of half an hour in each shift for a meal.

(ii) The wages to be paid to builders' labourers as such who are employed on the said works shall be as follows :—
Morning shift—Ordinary rate.
Afternoon shift—Time and one-eighth.
Night shift—Time and a quarter.

(iii) All time on duty in each shift beyond the hours of work mentioned shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

(iv) That any builder's labourer properly presenting himself for work and no work being then available for him shall be allowed and paid two hours wages at shift rates.

(v) That so far as possible 44 hours' work shall be made available for each builder's labourer in each week.

(vi) That in the event of any builder's labourer having to cease work on account of any stoppage operations after trams and trains have ceased running, provision shall be made by the employer for conveying him to his home or alternatively he shall be paid in respect thereof two hours wages.

(d) If it is desired to work shifts in any other place then the question shall be referred to the Secretary for Labour and he shall determine whether under all the circumstances it is proper for the work to be carried on by shift. If he should so determine, then the above provisions relating to shift work shall apply.

(e) Except where inconsistent with the provisions of this clause the other provisions of this Determination shall apply to such work.

SANITARY CONVENIENCES.

17. Suitable and adequate sanitary conveniences shall be provided by the employer. Sanitary conveniences shall not be regarded as suitable within the meaning of this determination unless they are enclosed and fitted with a door and roofed, and contain a proper seat and sufficient quantity of lime.

SUPPLY OF WATER.

18. Employers shall provide pure drinking water for employees and boiling water at meal times. Where the water is not conveyed by pipe it shall be kept in a covered receptacle.

FIRST AID.

19. (a) A sufficient first aid chest shall be supplied and maintained by the employer and shall be kept under the control of a responsible person in a place accessible to the employees. In case of any dispute as to the adequacy of any first aid equipment the matter shall be referred to the Secretary for Labour.

(b) An employee meeting with an accident on the job necessitating his removal to hospital or to a doctor for medical attention shall be conveyed by ambulance or other suitable conveyance at the expenses of the employer.

LOADS.

20. (a) No employee shall be required to carry more than the following loads by hod :—

Up to a height of 15 feet—12 bricks.

Over a height of 15 feet—10 bricks.

(b) In cases where bricks are carried by wheelbarrow the employee shall not be required to carry more than 36 bricks in a load on scaffolding at a height of more than 15 feet from the ground, or more than 40 bricks in a barrow in any other place.

If any other barrow than that which is commonly in use at the time of this determination is introduced by an employer then any question as to the load which may be carried in such barrow shall be determined by the Secretary for Labour.

TOOLS.

21. (a) Employers shall provide all necessary plant and tools except picks, shovels, hods, and ladders, which are to be provided by employees.

(b) The employer shall be responsible for the sharpening of picks.

(c) Employers shall provide a suitable lock-up place in which to store employees' tools.

CHANGE HOUSE.

22. Where practicable and where not less than a total of fifteen men are employed the employer shall provide a suitable change house for the keeping of the clothes of the workmen employed. No cement, lime or building materials shall be stored in such change house.

WET PLACES.

23. (a) Where an employee is obliged by the employer to work spreading or packing wet concrete so that his boots are liable to become saturated, then the employer shall provide the employee with gum boots.

(b) Where an employee is obliged to work in conditions where boots become saturated with water, the employer shall supply the employee with gum boots for use on such work.

(c) If an employee is required to work in a place in which water is continually dripping from overhead so as to saturate the clothing of the employee he shall be provided with an oilskin coat so as to protect him from getting wet or in lieu thereof shall be paid 1s. extra for the day whatever amount of work may be done by him on such day.

DEFINITIONS.

24. For the purposes of this Determination—

"Continuous process" means a process in which during an unbroken period of not less than one week operations are continued during all hours of the day from midnight to midnight or during sixteen hours of the day. Such a process shall be deemed to be a continuous process, even if through no fault of the employer, the work ceases for a time to be carried on.

"Shift worker" in a continuous process means an employee engaged for not less than a week in such continuous process.

"Country Work" means work on a job distant more than 10 miles from the employee's centre, if such centre be the General Post Office at Melbourne, or more than 6 miles from the employee's centre if such centre be elsewhere.

"Employee's centre" means the General Post Office at Melbourne, if the employee's place of residence is within 10 miles of such General Post Office; and if the employee's residence is not within 10 miles of such General Post Office it means his residence or his nearest post office whichever be the nearer to the job.

"Continuously employed" means an employee who has been continuously employed for more than six months without loss of time on usual working days and with loss of time if such is due to the fault of the employee.

CONTRACTING, SUB-CONTRACTING.

25. (a) No employer shall permit any of the classes or work covered by this determination to be carried on by a contractor or other person except in accordance with the terms and conditions of this Determination as if the contractor or other person were himself an employer and bound by this determination.

(b) No employer shall enter into any contract for the carrying on of any of the classes of work covered by this Determination by any contractor unless the contract contains a clause binding the contractor to pay the rates and observe the conditions set out in this Determination in respect of the work contracted for, and unless a clause is inserted in any such contract to the effect that the employer can determine the contract if there is any breach of the condition above referred to.

PART III

This Part applies to all persons covered by the Determination.

PERIODICAL ADJUSTMENT OF WAGES.

1. The wages rates set out in clause 2 of Part I. and clauses 2 and 3 of Part II. are based upon the following basic wage, 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 shown hereunder shall be adjusted as prescribed in clause 2 of this Part.

Basic Wage.

Place.	Needs Basic Wage (Adjustable.)	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	Per week.	Per week.	Per week.	
	£ s. d.	£ s. d.	£ s. d.	
Throughout the State	4 12 0	0 6 0	4 18 0	Melbourne

ADJUSTMENT OF NEEDS BASIC WAGE.

2. (a) For work done before the beginning of the first pay period to commence in November, 1945, the amounts of the basic wage prescribed in clause 1 of this Part hereof shall be paid.

(b) For work done during each future period of or near a quarter beginning with the first pay period to commence in a November, a February, a May, or an August, the amounts of the needs basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Court'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) Adjustment is to be based upon the equating of index number 81.0 with 81s., the amount assessed upon that number of the Court's declared needs basic wage per week.

(2) The index number set to be applied to a place is that assigned thereto in clause 1 of this Part hereof.

(3) 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.

(4) The amounts assigned in the following table (or in any extension thereof) to the index number division comprising that number are to be ascertained.

(5) The basic wage shall be of those assigned amounts during such successive 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.

A. V. BARNS J.P., Chairman.

J. W. RYAN, Secretary

Melbourne, 11th December, 1945.