



VICTORIA GOVERNMENT GAZETTE.

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No. 5]

MONDAY, JANUARY 7.

[1946

Factories and Shops Acts.

DETERMINATION OF THE PLUMBERS BOARD.

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

(2) Plumbing and Gasfitting were proclaimed on the 10th October, 1928, as Apprenticeship Trades under the *Apprenticeship Act 1928*, for the Metropolitan District, and on the 23rd March, 1938, for the City of Ballarat and the borough of Sebastopol, and the cities of Geelong and Geelong West, the town of Newton and Chilwell, and the Moorpanyal riding of the shire of Corio.

Full particulars of the *Apprenticeship Regulations for these trades* may be obtained on application to the Secretary, Apprenticeship Commission, 103 Russell-street, Melbourne, C.2.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, since the 24th April, 1939 has had the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons whosoever employed in any plumbing work (including electrical or gasfitting) or employed in fixing any material used instead of metal for pipes, guttering, or roof covering (other than slates or tiles) in connexion with the erection or repair of buildings"—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) Part I. hereof 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.
If and when the provisions of this Part cease to apply by virtue of the limitation prescribed in the previous paragraph, all employees covered by the said provisions will automatically be subject to the provisions of Part III. hereof.
- (b) Part II., Part III., and Part IV. 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.

2.

WAGES.

Apprentices (other than those covered by the Apprenticeship Commission).	Improvers.*	Other Employees.	
Per Week of 44 Hours. <i>s. d.</i>	Per Week of 44 Hours. <i>s. d.</i>	Person employed—	Wages Per Hour. <i>s. d.</i>
1st year 19 9 2nd " 27 10 3rd " 36 7 4th " 49 9 5th " 65 11 6th " 90 9 and thereafter the minimum wage.	1st year 29 6 2nd " 36 11 3rd " 44 4 4th " 66 4 5th " 88 6 6th " 114 0 and thereafter the minimum wage.	(a) Where the artificial temperature is— Over 130° F. 11 15 1 115° F., but not exceeding 130° F. 10 18 3 50° F. or lower 11 15 1 (b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower 9 16 7 (c) Lead burning or at lead work connected therewith 8 19 9 (d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power) 7 15 6 (e) In fixing any material used instead of metal for pipes, guttering, or roof covering.. .. 7 15 6 (f) At any other plumbing or gasfitting (but not including the fixing of gas mantles, or gas main or service laying) 7 15 6	5 4 ⁵ / ₄₄ 4 11 ²² / ₄₄ 5 4 ⁵ / ₄₄ 4 5 ²⁷ / ₄₄ 4 1 ¹ / ₄₄ 3 6 ⁹ / ₂₂ 3 6 ⁹ / ₂₂ 3 6 ⁹ / ₂₂
PROPORTION (within any factory or place). One apprentice to every two or fraction of two workers receiving not less than 27 15s. 6d. per week of 44 hours. An indenture of apprenticeship prescribed by the Board, as amended by the Court of Industrial Appeals, was approved on 7th September, 1923.	PROPORTION (within any factory or place). One improver to four Two improvers to fifteen Three improvers to thirty and thereafter one additional improver to every seven additional	NOTE.—See clause 6 of this Part <i>re</i> casual rate.	

* The employment of any improver within the Metropolitan District and any new improver within the City of Ballarat and the borough of Sebastopol, and the cities of Geelong and Geelong West, the town of Newtown and Chilwell, and the Moorpanyal riding of the shire of Corio is illegal.
No. 5.—11079/45.

ALLOWANCES.

3. The following allowances in addition to wages rates shall be paid :—

To a person employed—

- | | |
|---|---|
| (i) On work requiring a swing scaffold, swing seat, or rope, or on a ladder exceeding 25 feet in height; or | } 1s. for the first four hours or any portion thereof, and 3d. for each hour thereafter on any day. |
| (ii) On work in any confined space other than in a ship; or | |
| (iii) On work in wet places, other than in a ship | |

HOURS.

4. 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 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 Saturday. The lunch break shall be not less than 42 minutes.

OVERTIME.

5. Overtime shall be paid for as follows :—

(a) Outside the hours fixed in clause 4 of this Part—

- | | | |
|---------------------------------------|---------|--|
| (i) Before the time of beginning work | .. .. . | Double time. |
| (ii) After the time of ending work | .. .. . | Time and a half for the first hour and double time thereafter. |

(b) Within the hours fixed in clause 4 of this Part in excess of 44 hours in any week—

- | | | |
|------------|---------|------------------|
| First hour | .. .. . | Time and a half. |
| Thereafter | .. .. . | Double time. |

NOTE.—Where a five-day week is worked, work done on a Saturday shall be deemed to be outside the times of beginning and ending work, and be paid for as prescribed in sub-clause (a) (ii) hereof.

- (c) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time, and commenced prior to midnight shall be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence. If, on the instructions of his employer, any employee resumes work without having had such eight hours off duty, he shall be paid at double rates until he is relieved from duty to take such rest period and he shall then be entitled to be absent until he has eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.
- (d) An employee recalled to work overtime after leaving his employer's business premises shall be paid at the appropriate rate for such work with a minimum of four and a half hours' pay at the ordinary rate for each time he is so recalled.
- (e) An employee shall not be compelled to work for more than six hours without a break for a meal.

CASUAL LABOUR.

6. Casual employees (i.e., persons employed during the week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the ordinary hourly rate with an addition of 10 per centum.

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 (or Bourke and Elizabeth-streets) or the principal post offices at Ballarat, Bendigo, and Geelong as centres :—

	s.	d.
Up to and including 12 miles	..	2 0 per day.
Over 12 miles and including 20 miles	..	2 6 per day.
Over 20 miles and including 30 miles	..	3 0 per day.

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 9. (a) of this Part 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.

ALLOWANCES IN RESPECT OF DISTANT JOBS.

9. (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—

	s.	d.
For less than a full week	..	10 0 per day.
For a full working week at the rate of	..	42 0 per week.

(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.

10. 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.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

11. Double time shall be the special rate for all work done on Sundays, 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.

12. 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.

13. (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.

14. (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 $\frac{1}{13}$ 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 $\frac{1}{13}$ 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 $\frac{1}{13}$ th of a week's wages in respect of each 88 hours' consecutive service (exclusive of overtime) during his current qualifying twelve-monthly period.

PAYMENT OF WAGES.

15. 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.

16. 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 Plumbers and Gasfitters Union of Australia and approved by the Secretary for Labour, provided that 24 hours' notice of such inspection is given to the employer.

EMPLOYEE ATTENDING FOR DUTY.

17. When an employee in accordance with directions given by an employer or his responsible representative, attends for duty at the place so directed, but his services are not required, such employee shall be paid 5s. and an amount equal to the fares to and from such place.

TOOLS AND APPLIANCES.

18. That if any employee is required to provide any or all of the following tools or appliances—

Caulking-irons, drilling frame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrills, dummies, metal pots, pipe cutters, plumbing irons, ratchets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vyces—

1s. per hour in addition to the ordinary rates fixed by this Part shall be paid by the employer.

DAMAGE TO CLOTHING AND TOOLS.

19. Compensation to the extent of the damage sustained shall be made where, in the course of the work, clothing or tools are damaged or destroyed by fire or through the use of corrosive substances: Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

TIME OFF FOLLOWING ACCIDENT.

20. An employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for time (not exceeding four hours) so occupied on the day of the accident and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

TERMINATION OF EMPLOYMENT.

21. 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.

APPRENTICES AND IMPROVERS.

22. The provision of clause 21 of this Part shall not apply to the employment of apprentices.

PART II.

This Part applies to all persons employed by Gas Companies.

1.		WAGES.				
Apprentices (other than those covered by the Apprenticeship Commission).		Improvers.*		Other Employees.		
WAGES.		WAGES.		Persons employed—	Wages Per Week of 44 Hours.	Wages Per Hour.
Per Week of 44 Hours. s. d.		Per Week of 44 Hours. s. d.			£ s. d.	s. d.
1st year	19 9	1st year	29 6	(a) Where the artificial temperature is—		
2nd „	27 10	2nd „	36 11	Over 130° F.	11 4 7	5 1½
3rd „	36 7	3rd „	44 4	115° F., but not exceeding 130° F.	10 7 9	4 8 ²⁰ / ₄₄
4th „	49 9	4th „	66 4	50° F. or lower	11 4 7	5 1½
5th „	65 11	5th „	88 6	(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower	9 6 1	4 2½
6th „	90 9	6th „	114 0	(c) Lead burning or at lead work connected therewith	8 9 3	3 10 ⁷ / ₄₄
and thereafter the minimum wage.		and thereafter the minimum wage.		(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power)	7 5 0	3 3 ⁶ / ₁₁
PROPORTION (within any factory or place).		PROPORTION (within any factory or place).		(e) In fixing any material used instead of metal for pipes, guttering, or roof covering	7 5 0	3 3 ⁶ / ₁₁
One apprentice to every two or fraction of two workers receiving not less than £7 5s. 0d. per week of 44 hours.		One improver to four		(f) At any other plumbing or gas-fitting (but not including the fixing of gas mantles, or gas main or service laying)	7 5 0	3 3 ⁶ / ₁₁
An indenture of apprenticeship prescribed by the Board, as amended by the Court of Industrial Appeals, was approved on 7th September, 1923.		Two improvers to fifteen	workers receiving not less than £7 5s. 0d. per week of 44 hours			
		Three improvers to thirty				
		and thereafter one additional improver to every seven additional				

* The employment of any improver within the Metropolitan District and any new improver within the City of Ballarat and the borough of Sebastopol, and the cities of Geelong and Geelong West, the town of Newtown and Chilwell, and the Moorparanyal riding of the shire of Corio is illegal.

NOTE.—The Wages proscribed above for 'other employees' include as a war loading the sum of 6s. in the case of rates per week, and the sum of 17¹¹/₄₄d. in the case of rates per hour.

TIMES OF BEGINNING AND ENDING WORK.

2.	Time of beginning.	Time of Ending.
	7.45 a.m.	12 noon on Saturday or the day on which the half-holiday is locally observed, and 5.15 p.m. on the other working days of the week.

OVERTIME.

3. The following rates shall be paid for all work done during the times specified hereunder :—
(a) Outside the hours fixed in Clause 2 of this Part :—

	On Saturday or the Day on which the Half-holiday is Locally Observed.	On the other Working Days of the Week.
Between 5.15 p.m. and 6.15 p.m. . . . .	.. .. .	Time and a half
„ 6.15 p.m. and midnight . . . . .	.. .. .	Double time
„ 12 noon and 1 p.m.	Time and a half	.. .. .
„ 1 p.m. and midnight	Double time	.. .. .
„ Midnight and 7.45 a.m.	Double time	Double time

(b) Within the hours fixed in Clause 2 of this Part in excess of 44 hours in any week :—

First hour	Time and a half
Thereafter	Double time.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

4. Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (by persons not subject to *Anzac Day Act 1928*), Christmas Day, Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, the special rates shall only be payable for the day so substituted.

ALLOWANCES.

5. The following allowances in addition to wages rates shall be paid :—

(a) To a person employed on work away from the centre—

(i) An amount equal to the fares payable by the most convenient public conveyance to go from and to the centre to and from his work.

The provisions of this sub-clause shall not apply to the Metropolitan Gas Company or where the employer provides a convenient conveyance.

(ii) For time necessarily occupied in travelling from and to the centre to and from his work—

(a) During usual working hours . . . . .	.. .. .	} Ordinary rates
(b) Outside usual working hours . . . . .	.. .. .
Time in excess of a total of 1½ hours occupied in going from and to the centre to and from his work . . . . .	.. .. .

(iii) For work done at a distance from the centre, if the employee is unable to return to his home the same night, and suitable board and lodging has not been provided by the employer . . 9⁴/_d. per hour extra.

For the purpose of the above sub-clauses "Centre" shall mean the employer's usual place of business or the employee's residence, whichever is nearer to the work.

(b) To a person employed—

- | | |
|--|---|
| (i) On work requiring a swing scaffold, swing seat, or rope, or on a ladder exceeding 25 feet in height; or | } 1s. for the first four hours or any portion thereof, and 3d. for each hour thereafter on any day. |
| (ii) Clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing, and putting same in proper order; or | |
| (iii) On work in any confined space other than in a ship; or | |
| (iv) On work in wet places, other than in a ship | |

MEAL MONEY.

6. 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 on amount of 1s. 6d. for a meal.

EMPLOYEE ATTENDING FOR DUTY.

7. When an employee in accordance with directions given by an employer or his responsible representative, attends for duty at the place so directed, but his services are not required, such employee shall be paid 5s. and an amount equal to the fares to and from such place: Provided that where on any day work is commenced and is stopped before noon owing to wet or inclement weather, the employee shall be paid up to noon and then released from further attendance on that day. Where owing to wet or inclement weather work is stopped after noon, the employee shall be paid up to the time at which work usually ends.

TOOLS AND APPLIANCES.

8. That if any employee is required to provide any or all of the following tools or appliances:—
Caulking-irons, drilling frame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrills, dummies, metal pots, pipe cutters, plumbing irons, ratchets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vyces—
1s. per hour in addition to the ordinary rates fixed by this Part shall be paid by the employer.

CASUAL LABOUR.

9. Casual employees (i.e., persons employed during the week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the ordinary hourly rate with an addition of 10 per centum.

TERMINATION OF EMPLOYMENT.

10. 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.

DAY FOR PAYMENT OF WAGES.

11. Wages, allowances and other moneys due shall be paid not later than 5 p.m. on Thursday of each working week. On termination of employment by the employer, all wages, allowances and other moneys shall be paid at the time of dismissal. The employee shall not be deemed to have ceased employment until he has been paid.

The provisions of this clause shall not apply in respect of persons employed by the Metropolitan Gas Company.

ANNUAL LEAVE.

12. (a) Except as hereinafter provided a period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave).

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than one week's notice to the employee concerned.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) 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.

(e) Each employee before going on leave shall be paid a week's wage. For the purpose of this sub-clause and sub-clause (d) hereof the week's wage shall be at the rate prescribed by clause 1 of this Part for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of the employment as the case may be.

(f) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided by sub-clause (d) hereof payment shall not be made or accepted in lieu of annual leave.

(g) Notwithstanding anything herein provided an employer who gives to an employee leave of absence without loss of pay throughout the interval of time—

(i) between the days observed hereunder as the Christmas Day holiday and the New Year's Day holiday; or

(ii) between the day immediately preceeding the Good Friday holiday and the Monday next after the Easter Monday holiday shall be deemed thereby to fulfil all obligations to that employee under this clause in respect of the period of twelve months' service referred to in sub-clause (a) hereof. The provisions of sub-clause (c) hereof shall apply to this sub-clause.

(h) Where leave has been granted to an employee pursuant to sub-clauses (c) or (g) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed in clause 4 of this Part.

(i) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

(i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;

(ii) any absence from work on account of sickness or accident or military service, and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months, shall be deemed to be part of the period of continuous service; or

(iii) any termination of the employment by the employee if such termination has been made merely with the intention of preventing the operation of sub-clause (g) hereof.

(j) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month, shall be reckoned as ending at the end of such subsequent month.

(k) Where the employer is a successor or assignee or transmittee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transmittee the employee in respect of the period during which he was in the services of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

PART III.

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

2.		WAGES.			
Apprentices (other than those covered by the Apprenticeship Commission).		Improvers.*		Other Employees.	
WAGES.		WAGES.		Per Week of 44 Hours.	Wages Per Hour.
Per Week of 44 Hours.		Per Week of 44 Hours.		£ s. d.	s. d.
1st year	19 9	1st year	29 6	Person employed—	
2nd „	27 10	2nd „	36 11	(a) Where the artificial temperature is—	
3rd „	36 7	3rd „	44 4	Over 130° F.	11 7 10
4th „	49 9	4th „	66 4	115° F., but not exceeding 130° F.	10 11 0
5th „	65 11	5th „	88 6	50° F. or lower	11 7 10
6th „	90 9	6th „	114 0	(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower	9 9 4
and thereafter the minimum wage.		and thereafter the minimum wage.		(c) Lead burning or at lead work connected therewith	8 12 6
PROPORTION (within any factory or place).		PROPORTION (within any factory or place).		(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power)	7 8 3
One apprentice to every two or fraction of two workers receiving not less than £7 8s. 3d. per week of 44 hours.		One improver to four	workers receiving not less than £7 8s. 3d. per week of 44 hours.	(e) In fixing any material used instead of metal for pipes, guttering, or roof covering	7 8 3
An indenture of apprenticeship prescribed by the Board, as amended by the Court of Industrial Appeals, was approved on 7th September, 1923.		Two improvers to fifteen		(f) At any other plumbing or gasfitting (but not including the fixing of gas mantles, or gas main or service laying)	7 8 3
		Three improvers to thirty and thereafter one additional improver to every seven additional				7 8 3
				NOTE.—See clause 7 re casual rate, and clause 3 re ship work.	

* The employment of any improver within the Metropolitan District and any new improver within the City of Ballarat and the borough of Sebastopol, and the cities of Geelong and Geelong West, the town of Newtown and Chilwell, and the Moorparryal riding of the shire of Corio is illegal.

NOTE.—The wages prescribed above for 'other employees' include as a loading in lieu of public Holidays (eight days) and Sick Leave (4 days), an amount of 7s. 5d. in the case of rates per week, and 2¹/₄d. in the case of rates per hour, and also include as a war loading the sum of 6s. in the case of rates per week, and 1⁷/₁₁d. in the case of rates per hour.

ALLOWANCES.

3. The following allowances in addition to wages rates shall be paid—

(a) To a person employed on work away from the centre—

(i) An amount equal to the fares payable by the most convenient public conveyance to go from and to the centre to and from his work.

The provisions of this sub-clause shall not apply where the employer provides a convenient conveyance.

(ii) For time necessarily occupied in travelling from and to the centre to and from his work—

(a) During usual working hours } Ordinary rates.

(b) Outside usual working hours— }
Time in excess of a total of 1½ hours occupied in going from and to the centre to and from his work }

(iii) For work done at a distance from the centre, if the employce is unable to return to his home the same night, and suitable board and lodging has not been provided by the employer } 9½d. per hour extra.

For the purposes of the above sub-clauses "Centre" shall mean the employer's usual place of business.

(b) To a person employed—

(i) On work requiring a swing scaffold, swing seat, or rope, or on a ladder exceeding 25 feet in height; or } 1s. for the first four hours or any portion thereof, and 3d. for each hour thereafter on any day.

(ii) Clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing, and putting same in proper order; or }

(iii) On work in any confined space other than in a ship; or }

(iv) On work in wet places, other than in a ship }

SHIP WORK.

4. (i) All work done on a ship of any class—

(a) whilst it is under way; or

(b) in wet places or confined spaces; or

(c) in a ship which has done one trip or more, in oil fuel tanks, in bilges under engine-room or stokehold or on soil pipes— shall be paid for at the rate of 8d. per hour in addition to the ordinary wage.

(ii) For the purposes of this paragraph—

"Wet Place" means one in which the clothing of the workman necessarily is wetted to an uncomfortable degree, or one in which water accumulates underfoot to a depth exceeding two inches.

"Confined Space" means one of which the dimensions are such that the workman must work in a stooped or cramped position, or without adequate ventilation, or where confinement within a limited space is productive of unusual discomfort to him.

iii) Should the employer and the workman be unable to agree whether or not any work done by the latter is such as entitles him to the additional wage provided by this paragraph, the question is to be submitted to a Referee, chosen by the parties, whose decision will be binding on both of them. In the event of the parties being unable to agree on a Referee, application is to be made to the Secretary of the Department of Labour of the State of Victoria to appoint an Inspector to determine the matter in dispute, and the decision of such Inspector will be binding on both of them.

ORDINARY WEEK'S WORK.

5. The ordinary hours for a week's work shall be 44 hours which may be worked by mutual agreement between the employer and employee as follows:—

- (a) On five days of 8 hours each and one day (Saturday) of 4 hours, or
 (b) On five days of 8 hours 48 minutes each.

A meal break of not less than 42 minutes shall be allowed each day between noon and 2 p.m.

TIMES OF BEGINNING AND ENDING WORK.

6. The ordinary times of beginning and ending work shall be within the following hours—

	Time of beginning.	Time of Ending.
(a) Where a five-day week is worked	7.30 a.m.	5.30 p.m.
(b) Where a six-day week is worked—		
Saturday	7.45 a.m.	noon.
On other week days	7.45 a.m.	5.15 p.m.

OVERTIME.

7. Overtime shall be paid for as follows—

- (a) Outside the hours fixed in clause 6 of this Part—
 (i) Before the time of beginning work Double time.
 (ii) After the time of ending work Time and a half for the first hour and double time thereafter.
- (b) Within the hours fixed in clause 6 of this Part in excess of 44 hours in any week—
 First hour Time and a half.
 Thereafter Double time.

NOTE.—Where a five-day week is worked, work done on a Saturday shall be deemed to be outside the times of beginning and ending work, and be paid for as prescribed in sub-clause (a) (ii) hereof.

- (c) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time, and commenced prior to midnight shall be entitled to be absent until he has eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.
 If, on the instructions of his employer, any employee resumes work without having had such eight hours off duty, he shall be paid at double rates until he is relieved from duty to take such rest period and he shall then be entitled to be absent until he has eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.
- (d) An employee recalled to work overtime after leaving his employer's business premises shall be paid at the appropriate rate for such work with a minimum of four and a half hours' pay at the ordinary rate for each time he is so recalled.
- (e) An employee shall not be compelled to work for more than six hours without a break for a meal.
- (f) An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 2s. and 1s. 3d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.
- (g) An employee working overtime after the evening meal break shall be allowed a crib-time of twenty minutes after each four hours of overtime work, if the employee continues work after such crib-time. Such crib-time shall be paid for at the ordinary rate.

CASUAL LABOUR.

8. Casual employees (i.e. persons employed during the week for not more than one-half maximum number of hours fixed in this Determination as a week's work) shall be paid at the ordinary rate hourly with an addition of 10 per centum.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

9. Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (by persons not subject to *Anzac Day Act 1928*) King's Birthday, Christmas Day, Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the abovementioned holidays, the special rates shall only be payable for the day so substituted.

EMPLOYEE ATTENDING FOR DUTY.

10. When an employee in accordance with directions given by an employer or his responsible representative, attends for duty at the place so directed, but his services are not required, such employee shall be paid 5s. and an amount equal to the fares to and from such place: Provided that where on any day work is commenced and is stopped before noon owing to wet or inclement weather, the employee shall be paid up to noon and then released from further attendance on that day. Where owing to wet or inclement weather work is stopped after noon, the employee shall be paid up to the time at which work usually ends.

TOOLS AND APPLIANCES.

11. That if any employee is required to provide any or all of the following tools or appliances:—

Caulking-irons, drilling fame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrills, dummies, metal pots, pipe cutters, plumbing irons, ratchets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vices—

1s. per hour in addition to the ordinary rates fixed by this Part shall be paid by the employer.

DAMAGE TO CLOTHING AND TOOLS.

12. Compensation to the extent of the damage sustained shall be made where, in the course of the work, clothing or tools are damaged or destroyed by fire or through the use of corrosive substances. Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

DAY FOR PAYMENT OF WAGES.

13. Wages, allowances, and other moneys due, shall be paid not later than the time of ceasing work on Thursday of each working week. On termination of employment by the employer, all wages, allowances, and other moneys, shall be paid at the time of dismissal. The employee shall not be deemed to have ceased employment until he has been paid.

REST PERIOD.

14. 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.

SUPPLY OF HOT WATER.

15. The employer shall provide facilities to enable the employee to obtain an adequate supply of hot water at meal times and during the morning rest period.

ANNUAL LEAVE.

16. (a) Except as hereinafter provided a period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave).

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than one week's notice to the employee concerned.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case a further period of annual leave shall not commence to accrue until the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) 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.

(e) Each employee before going on leave shall be paid a week's wage. For the purpose of this sub-clause and sub-clause (d) hereof the week's wage shall be at the rate prescribed by clause 2 of this Part for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of the employment as the case may be.

(f) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided by sub-clause (d) hereof payment shall not be made or accepted in lieu of annual leave.

(g) Notwithstanding anything herein provided an employer who gives to an employee leave of absence without loss of pay throughout the interval of time—

- (i) between the days observed hereunder as the Christmas Day holiday and the New Year's Day holiday; or
- (ii) between the day immediately preceding the Good Friday holiday and the Monday next after the Easter Monday holiday, shall be deemed thereby to fulfil all obligations to that employee under this clause in respect of the period of twelve months' service referred to in sub-clause (a) hereof. The provisions of sub-clause (c) hereof shall apply to this sub-clause.

(h) Where leave has been granted to an employee pursuant to sub-clauses (c) or (g) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed in clause 9 of this Part.

(i) For the purposes of this clause service shall be deemed to be continuous notwithstanding.

- (i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of sickness or accident or military service, and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months, shall be deemed to be part of the period of continuous service; or
- (iii) any termination of the employment by the employer if such termination has been made merely with the intention of preventing the operation of sub-clause (g) hereof.

(j) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

(k) Where the employer is a successor or assignee or transferee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee the employee in respect of the period during which he was in the services of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

ADDITIONAL ANNUAL LEAVE AND SICK LEAVE.

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

- (a) one week's additional annual leave with pay, and
- (b) payment for a maximum of forty four 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 payment of 132 hours for sickness.

For the purposes of sub-clause (b) hereof service prior to the 1st July, 1945, shall be disregarded.

TIME OFF FOLLOWING ACCIDENT.

18. An employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for time (not exceeding four hours) so occupied on the day of the accident and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

TERMINATION OF EMPLOYMENT.

19. 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 IV.

This Part applies to all persons employed under this Determination.

PERIODICAL ADJUSTMENT OF WAGES.

1. The wages rates set out in clause 2 of Part I., clause 1 of Part II., and clause 2 of Part III. hereof 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 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.
Throughout the State	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 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 rates prescribed in clause 2 of Part I., clause 1 of Part II., and clause 2 of Part III. 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 said rates 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 purpose of this Determination the expression "Commonwealth Statistician's 'All Items' retail price index numbers" or any like expression means the number 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 1 of this Part.
- (2) The index number for the calendar quarter next preceding the period of or near a quarter for which adjustment is to be made is to be ascertained.
- (3) The amounts of addition or deduction assigned in the following table (or any extension thereof) in the index number division comprising such number are to be ascertained.
- (4) These assigned amounts shall for work done during such period of or near a quarter be added to or deducted from the originally prescribed amounts of the rates in accordance with that table.
- (5) The division called "original" in the following table is that for the Needs Basic Wage upon which the rates are to be deemed to have been originally prescribed.

Table.—Original Index Number Division.

Index Number Divisions for Additions.	Amounts of Addition or Deduction.		Index Number Divisions for Deduction.
	Per Week.	Per Week.	
994-1006	Nil	Nil	994-1006
1007-1018	1	0 $\frac{6^3}{11}$	982- 993
1019-1030	2	0 $\frac{0^8}{11}$	970- 981
1031-1043	3	0 $\frac{0^9}{11}$	957- 969
1044-1055	4	0 $\frac{1^1}{11}$	945- 956
1056-1067	5	0 $\frac{1^4}{11}$	933- 944
1068-1080	6	0 $\frac{1^7}{11}$	920- 932
1081-1092	7	0 $\frac{1^9}{11}$	908- 919
1093-1104	8	0 $\frac{2^2}{11}$	896- 907
1105-1117	9	0 $\frac{2^4}{11}$	883- 895
1118-1129	10	0 $\frac{2^8}{11}$	871- 882

The index number divisions in this table are based upon the equating of the index number 1000 with a basic wage of 81s. per week and any extension of this table must be of the same construction as the table.

The wages rates of apprentices and improvers shall at the same time be adjusted proportionately to the adjustment of the Needs Basic Wage.

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

J. W. RYAN, Secretary.

Melbourne, 2nd January, 1946.



VICTORIA GOVERNMENT GAZETTE.

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MONDAY, JANUARY 7.

[1946

Factories and Shops Acts.

DETERMINATION OF THE TILE LAYERS BOARD.

NOTE.—(a) This Determination applies to the whole of the State of Victoria.

(b) On the 7th July, 1926, by Order in Council, the Tile Layers Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed laying or fixing falence or majolica on floors, walls, or ceilings, and such power was conferred exclusively on the Bricklayers Board.

(c) On the 7th April, 1937, by Order in Council, the Tile Layers Board was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of fixing acoustic tiles moulded into slab form, and having an earth base, and conferring such power exclusively on the Fibrous Plasterers Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now has the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed—

(1) laying or fixing tiles or mosaic ;
(2) laying or fixing glass sheets or pieces, of surface area not exceeding 2½ square feet each, as substitute for tiles ;
has made the following Determination, namely :—

1. That as from the 15th November, 1945, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES.

Apprentices.	Per Week of 44 Hours. s. d.	Improvers if employed prior to 30th September, 1939. (See Clause 3.)	Per Week of 44 Hours. s. d.	Other Employees.	
				Per Hour.	Per Week of 44 Hours.
1st year	26 6	Under 16 years of age	29 6	Adults	3 6 ² / ₂₂ .. 7 15 6
2nd	40 0	Between 16 years and 17 years	44 3		
3rd	53 6	.. 17 18	53 6		
4th	73 3	.. 18 19	73 3		
5th	93 0	.. 19 20	88 3		
		.. 20 21	101 3		

PROPORTION (WITHIN ANY PLACE).

One apprentice to every three or fraction of three workers receiving not less than £7 15s. 6d. per week of 44 hours.
An indenture of apprenticeship has been prescribed by the Board.

PROPORTION (WITHIN ANY PLACE).

One improver to every three workers receiving not less than £7 15s. 6d. per week of 44 hours.

PROHIBITION OF EMPLOYMENT.

3. The Board has determined that no person under the age of 21 years shall enter the trade except as an apprentice.

Provided that any person employed in the trade as an improver prior to the 30th September, 1939, shall be entitled to be employed, and shall be paid at the rates prescribed in clause 2 for improvers.

HOURS.

4. 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 Saturday. The lunch break shall be not less than 42 minutes.

OVERTIME.

5. That the following rates shall be paid for all work done :—

- (a) Within the hours fixed in clause 4 in excess of 44 hours per week—Time and a half for the first two hours and thereafter double time.
(b) Outside the hours fixed in class 4—

	On Saturday or the Day on which the Half-holiday is usually Observed.	On the other Working Days of the Week.
Between midnight and 7.30 a.m.	Double time	
.. 12.15 p.m. and 2.15 p.m.	Time and a half	
.. 2.15 p.m. and midnight	Double time	
.. 5.30 p.m. and 7.30 p.m. .. .. .	.. .. .	Time and a half
.. 7.30 p.m. and 7.30 a.m. .. .. .	.. .. .	Double time

SPECIAL RATES.

6. Double time shall be the special rate for all work done on Sunday, New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day.

SCAFFOLD WORK.

7. (a) All work performed on a fixed scaffold at a height of over 12 feet above ground or floor level shall be paid for at the rate of 1s. per day in addition to the ordinary rate.

(b) Employees working on swing scaffolding shall be paid 6d. per hour extra on their earnings whether hourly or piecework.

INCLEMENT WEATHER.

8. 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 called upon to work in such inclement weather.

ALLOWANCES IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

9. (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. d.</i>
Up to and including 12 miles	2 0 per day
Over 12 miles and including 20 miles	2 6 per day
Over 20 miles and including 30 miles	3 0 per day

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 allowances shall be paid.

(b) When fares are necessarily incurred on "distant jobs" as defined in clause 10 (a), 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.

ALLOWANCES IN RESPECT OF DISTANT JOBS.

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

(b) In lieu of the payments prescribed in clause 9 (a) 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.

11. 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.

EXCESS OF HOURS.

12. 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.

13. (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.

14. (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 1/13th 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 1/50th 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—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 1/13th of a week's wages in respect of each 88 hours' consecutive service (exclusive of overtime) during his current qualifying twelve-monthly period.

GENERAL PROVISIONS.

- 15. (a) When a tilayer is sent to a job and he is unable to proceed with his work owing to the job not being sufficiently advanced for the work of tiling to be done, he shall be paid at the hourly rate for such lost time.
- (b) Should a tilayer be delayed from completing or going on with his work by reason of an insufficient supply of tiles, sand, cement, or other necessary materials, he shall be paid at the hourly rate for lost time incurred thereby.
- (c) Where work is situated above or below the ground floor, all materials and water necessary shall be supplied on such floor ready for the tilayer to proceed with his work. Such materials shall not be set down on any floor at a greater distance than 50 feet from the place where work is to be done.
- (d) Where work has to be done in houses or buildings which are in occupation, the tilayer shall be paid at the hourly rate by the employer for any time lost on account of his being prevented from starting or ceasing work at the usual time, or for his having to knock off and lose time for any reasonable cause whilst he is working on such occupied premises.
- (e) All suitable scaffolding shall be supplied and erected on all jobs for use of the tilayer to carry out his work.
- (f) Where the tilayer has to make good any tiling left out or damaged through no fault of his own he shall be paid at the hourly rate for the time employed on such work.
- (g) All places where tilayers are to work are to be cleaned up and made in a fit condition before work is commenced.
- (h) All measurements are to be taken as full tile measurements.

PAYMENT OF WAGES.

16. 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.

TIME AND WAGES RECORD.

17. Each employer shall keep a book or record showing the name and occupation of each employee, the place of working, the hours worked, and the wages rate or piecework price paid.

Such book or record shall be filled in and signed by the employee each week, and shall be kept by the employer for a period of twelve months at his place of business. During such period the Secretary for Labour may authorize at any time (except pay day) or place, the inspection of such book or record by the Secretary or a duly accredited representative of the Operative Tile Layers Society, provided that three days' notice of intention to make such inspection has been given to the employer.

TERMINATION OF EMPLOYMENT.

18. 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.

APPRENTICES.

19. The provisions of clause 18 shall not apply to the employment of apprentices.

PIECEWORK PRICES.

20. That the lowest piecework prices payable to any person engaged in the following kinds of work shall be:—

<i>Floor and Verandah Tiling.</i>		
Each area under one square yard .. .. .	.. .. .	7s. 0d. per area
Under three square yards .. .. .	.. .. .	9s. 3d. per square yard
Three square yards or over .. .. .	.. .. .	8s. 0d. per square yard
Loose moravian .. .. .	.. .. .	13s. 3d. per square yard
Steps of marble, slate, or material other than tiles with tile risers .. .. .	.. .. .	9d. per foot run respectively for each step fixed or riser tiled
Any step with nosing tread or riser tiles .. .. .	.. .. .	3s. 6d. per foot run
All mosaic, ceramic, moravian mounted, or loose tiling shall be laid on properly screeded floors prepared by the builder, and to be not more than one inch from the finished surface.		
<i>Wall Tiling.</i>		
Wall tiling .. .. .	.. .. .	8s. 6d. per square yard
Kitchen stove recesses .. .. .	.. .. .	11s. 6d. per square yard
Splash tiling under one square yard to basin and/or bath .. .. .	.. .. .	11s. 6d. per room
Ceilings, or offits .. .. .	.. .. .	17s. 3d. per square yard
Liners beads, coves, and capping .. .. .	.. .. .	3d. per foot run in addition to full overall measurements
Where brickwork or concrete has to be cut out to allow recessed fitting to be laid .. .. .	.. .. .	3s. 6d. per fitting
Soap and toilets with mitre surrounds .. .. .	.. .. .	3s. 6d. each
Tiled recesses in walls up to 6 in. x 6 in. square .. .. .	.. .. .	7s. 0d. each
Sills and reveals which occur in isolated cases .. .. .	.. .. .	9d. per lineal foot in addition to overall measurements
Architraves and skirting .. .. .	.. .. .	9d. per lineal foot in addition to overall measurements
Cutting on the rake to staircase dados .. .. .	.. .. .	6d. per lineal foot
In opalite or other glass tiling, also any other matrix which may be used, all walls shall be prepared by being rendered up with a scratch coat ready for the tilayer on which to start tiling, also all walls of this nature to be painted where necessary.		
<i>Open Joint Tiling.</i>		
Where tiles (other than tiles which by the nature of their manufacture form an open joint) are laid or fixed in any place whatsoever and spaced to a uniform open joint—		
(a) where joints are bagged .. .. .	.. .. .	1s. per yard
(b) where joints are struck .. .. .	.. .. .	3s. 6d. per yard
		} in addition to the rates fixed in this schedule for laying and fixing

When the aggregate amount payable for any job has been computed according to the piecework prices contained herein, such amount shall be increased by the addition thereto of a sum equal to an amount of one-sixth of such aggregate amount

PIECEWORK FIXED BY AN EMPLOYER.

21. The Board determines, under the provisions of section 150 of the *Factories and Shops Act 1928*, that any employer may fix and pay piecework prices to any person employed at any work for which this Board has not fixed piecework prices but has a fixed minimum wage provided that such employer shall base such piecework prices on the earnings of an average worker working under like conditions any such piecework prices shall be fixed so that an average worker can earn not less than the wages rate fixed by the Board for such work.

PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rate for adults set out in clause 2 is 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 apprentices and improvers, and the piecework prices, 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 shown hereunder shall be adjusted as prescribed in clause 23.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	4 12 0	Melbourne

ADJUSTMENT OF THE BASIC WAGE.

23. (a) Until the beginning of the first pay period to commence in February, 1946, the amount of the basic wage shall be as prescribed in clause 22.

(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 or near a quarter for which the adjustment is made is to be ascertained.
- (3) The amounts 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 as prescribed in clause 22.

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. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 2nd January, 1946