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[1947

Factories and Shops Acts.

DETERMINATION OF THE SALTWORKERS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the determination of any Wages Board heretofore appointed) employed in the process, trade, business or occupation of—

(a) producing, gathering, extracting, manufacturing, treating or refining salt;

(b) extracting products (other than salt) from sea water or from natural brines and bitters and treating such products"—has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st December, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. (a)

WAGES.

(a) Apprentices or Improvers (Day Shifts).		Juvenile Workers (Day Shifts).		Other Employees (Day Shifts).	
MALES.		MALES.		MALES.	
Per Week of 44 Hours.		Per Week of 44 Hours.		Per Week of 44 Hours.	
s.	d.	s.	d.	s.	d.
14 years of age	.. 26 0	14 years of age	.. 26 0	Employed at any work, gathering, bagging, loading, or stacking salt in connexion with: (A) Salt lakes; (B) Salt production works:—	
15 " "	.. 33 6	15 " "	.. 33 6	Foreman—i.e., one who has the control of more than six men	127 0
16 " "	.. 41 0	16 " "	.. 41 0	Leading Hand—i.e., one who has (even though he may be under the direction of a Foreman) the control of and is responsible for the work done by not less than three men	119 6
17 " "	.. 52 6	17 " "	.. 52 6	Truckman or brakeman—	
18 " "	.. 66 0	18 " "	.. 66 0	(a) Power trucks	118 6
19 " "	.. 81 0	19 " "	.. 81 0	(b) Horse trucks or wagons	113 6
20 " "	.. 95 6	20 " "	.. 95 6	Operator of mechanical harvesting machine and/or caterpillar mounted conveyors working in conjunction therewith	121 0
FEMALES.		FEMALES.		Plate layer in charge of the laying down and/or repairing of permanent line	119 6
Per Week of 44 Hours.		Per Week of 44 Hours.		Employee in charge erecting and/or repairing rough timber work on out works, excluding construction of any building	121 0
16 years of age	.. 23 0	16 years of age	.. 23 0	Assistant erecting and/or repairing rough timber work on out works, excluding construction of any building	119 6
17 " "	.. 26 0	17 " "	.. 26 0	Salt loaders from stacks	116 6
18 " "	.. 32 6	18 " "	.. 32 6	Employees in charge of movement of sea water and engaged in preparation of brine	116 6
19 " "	.. 39 0	19 " "	.. 39 0	Thatcher of salt stacks	116 6
20 " "	.. 47 0	20 " "	.. 47 0	Stack builder, where mechanical stackers are used	116 6
PROPORTION (in any place).		Definition.—A juvenile worker is a person under 21 years of age employed at cleaning, branding, moving, weighing, sewing-up bags, or pressing salt.		All others	113 6
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.				<i>Shed and Factory Hands.</i>	
One improver to each worker receiving not less than the minimum wage.				Persons employed treating, crushing, or refining salt:—	
				Shed hand in charge of seven or more men	
				Shed hand in charge of six or less men	
				Shed hand who is required to stack	
				Shift Foreman—	
				In charge of a wet and dry plant	
				In charge of a dry plant	
				In charge of a wet plant	
				Millwrights	
				Hydro Operator	
				Tutosal Operator, i.e., an employee responsible for mixing	
				All Others	
				<i>By-products Section.</i>	
				Employee in charge of one or more employees operating by-products plant, i.e., extracting products (other than salt) from sea water or from natural brines and bitters and treating such products	
				Employee operating by-products plant, i.e., extracting products (other than salt) from sea water or from natural brines and bitters and treating such products	
				All others	
				FEMALES.	
				Per week of 44 hours	
				63 6	

(b) Employees on shifts commencing in the afternoon or at night shall receive the wages provided in sub-clause (a) with the addition of 5 per cent. for afternoon shift workers and 7½ per cent. for night shift workers.

SPECIAL RATES.

3. In addition to the wages prescribed in clause 2 hereof, the following special rates and allowances shall be paid to employees, including apprentices, improvers, and juvenile workers:—

Confined Spaces.

(a) Working in confined space 3d. per hour extra.

Hot Places.

(b) 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, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. Where work continues for more than two hours in temperature 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 foreman of the work after consultation with the employees who claim the extra rate.

Employee within Call.

(c) When work is being performed under sub-clauses (a) and (b) hereof, another person shall always be within call.

Special Rates not Cumulative.

(d) Where more than one of the disabilities entitling a workman to extra rates exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

TIMES OF BEGINNING AND ENDING WORK.

4. (a) When day shift only is worked—

	Where a 5½ day week is worked.		Where a 5 day week is worked.	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
Monday to Friday (inclusive) ..	7.30 a.m.	6 p.m.	7.30 a.m.	6 p.m.
Saturday	7.30 a.m.	12 noon.		

The above-mentioned times of beginning and ending work may be varied on any job by mutual consent of the employer and a majority of the employees.

(b) Shift workers—

(i) *Where Two Shifts are Worked.*—An employer may require two shifts a day to be worked provided that the time of beginning the first shift shall be not earlier than 7 a.m. and that the time of ending the second shift shall be not later than 2 a.m. on the following morning, and also provided that the ordinary spread of hours of each shift shall not exceed eight hours forty-eight minutes.

(ii) *Where three shifts are worked—*

	Time of Beginning.	Time of Ending.
First shift	8 a.m.	4 p.m.
Second shift	4 p.m.	12 midnight
Third shift	12 midnight	8 a.m.

(iii) Provided that the times of beginning and ending shifts stated in this sub-clause may be varied by agreement between an employer and his employees.

HOURS FOR A WEEK'S WORK.

5. The hours for an ordinary week's work for all employees shall be 44 hours per week provided that the hours of shift workers may be fixed by agreement between an employer and an employee so that an average of 44 hours of ordinary working time may be worked in three consecutive weeks subject to 48 hours of ordinary working time being the maximum in any one week.

OVERTIME.

6. Except as provided in sub-clause (c) overtime shall be payable as follows:—

- (a) Any employee who works in excess of the maximum number of hours fixed for a week's work shall be paid for such work at the rate of time and a half for the first four hours, and thereafter at the rate of double time.
- (b) Any employee who works outside the hours fixed in clause 4 shall be paid for such work at the rate of time and a half for the first four hours and thereafter at the rate of double time.
- (c) The overtime rate for shift workers shall not apply to arrangements between employees themselves or in cases due to rotation of shifts or when the relief does not come on duty at the proper time. Provided that where not less than eight hours' notice has been given to the employer by the employee that he will be absent from work, and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

EMPLOYEE REPORTING FOR WORK AND NOT ALLOWED TO START.

7. An employee who reports for work and is not allowed to start shall be paid for two hours' work. Provided that this clause shall not operate if a stoppage of work has taken place through some cause over which the employer has no control.

EMPLOYEE WORKING IN WET PLACES.

8. (a) Any employee who is required to work in water, slurry or mud exceeding two inches in depth shall be provided with gum boots or shall receive an allowance of 1s. per day for each day he is so required to work.

(b) Unless oilskins and gum boots are provided for men required to work in rain double time shall be paid for work done in such rain. Provided that this sub-clause shall not apply to salt loaders from stacks.

HOLIDAYS.

9. (a) Weekly employees shall be entitled to the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) When an employee fails without reasonable cause, proof whereof shall be upon him, to attend for work on the working day immediately following or immediately prior to any of the holidays prescribed in sub-clause (a) hereof, he shall not be entitled to be paid for such holiday.

SPECIAL RATE FOR WORK DONE ON SUNDAYS AND HOLIDAYS.

10. Double time shall be payable for all work done on Sundays or on any of the days mentioned in clause 9 (a) except in the case of employees effecting repairs to or renewals to plant or machinery—which it is necessary to effect on Sundays or holidays to enable work to be safely resumed on Monday or the earliest working day—in which case payment shall be made at the rate of time and a half. This exception does not apply to the work of installing new machinery.

TERMS OF ENGAGEMENT.

11. (i) An employer shall have the option of engaging any employee either by the week or casually.

(ii) (a) If the engagement is by the week it shall be for a continuous period of at least eight weeks, and thereafter shall be terminated by a week's notice on either side, given at any time during the week, or by payment or forfeiture of a week's wages in lieu thereof, as the case may be: Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled in respect of wages for the then current week's employment, only to payment proportionate to the aggregate of time worked by him, and of such other previous time (if any) in that week as to which under this Determination no deduction from his week's wages is allowable.

(b) An engagement shall be deemed to be and to continue casual unless the employer, at the commencement of the engagement or before any change by him of a casual engagement of the employee to one by the week, expressly notifies the employee that he is to be engaged by the week.

(c) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he performs.

(d) The employer shall have the right to deduct payment for any day upon which the employee cannot be employed usefully because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

ANNUAL HOLIDAYS.

12. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act 1946—No. 5111*.

SICK LEAVE.

13. (a) A weekly employee who is absent from work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence with pay, subject to the following conditions and limitations.

(i) He shall not be entitled to paid leave of absence unless he has been in the service of the employer concerned as a weekly employe for at least six months immediately prior to such absence;

(ii) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation;

(iii) He shall, within 24 hours of the commencement of such absence inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the illness or injury and the estimated duration of the absence;

(iv) He shall produce to the employer a medical certificate or other reasonable evidence justifying the absence;

(v) He shall not be entitled in any year of service to paid leave of absence in excess of forty-four hours of working time.

For the purposes of this sub-clause a year of service shall be deemed to commence from the date of engagement.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding 88 hours of working time, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay. For the purposes of this sub-clause service prior to the 4th October, 1946, shall be disregarded.

MIXED DUTIES.

14. An employee who is required to do work for which a higher rate is fixed than that provided for his ordinary duties shall if such work exceeds a total of two hours on any day be entitled to be paid for all work done on such day at the higher rate.

TOOLS.

15. The employer shall provide an employee with all tools necessary for the work to be done.

PAYMENT OF WAGES.

16. Wages shall be paid weekly during an employee's ordinary working hours, and such payment shall be made on Tuesday, except at Laverton when it shall be not later than Wednesday.

CRIB TIME.

17. An employee on shift work shall be allowed a crib time during each shift. For the purpose of administering this clause crib time shall be deemed to mean time taken for a meal at suitable opportunities in a shift so as not to interfere with an employee's duties.

MEAL ALLOWANCE.

18. An employee required to work overtime for more than two hours without being notified the day before that he will be so required shall either be supplied with a meal by the employer or paid 2s. Provided that where the employee was notified the previous day of the intention to work overtime and such overtime was not worked, he shall be entitled to the meal allowance herein provided.

RIGHT OF ENTRY OF UNION OFFICIAL.

19. Provided he reports to the works manager before so doing a duly accredited representative of the Australian Workers Union not more often than once a fortnight shall have the right to enter during the midday meal hour the portion of any employer's establishment in which any of the classes of labour covered by this Determination are employed for the purpose of interviewing employees on legitimate union business.

If any representative is unduly interfering or is creating disaffection amongst the employees or is offensive in his methods the employer may refuse the right of entry.

SHELTERS.

20. Suitable shelters shall be provided for all employees within reasonable distances from places of work.

EMPLOYEE RECALLED TO WORK.

21. Any employee who having ceased work for the day is recalled to work shall be paid for a minimum of two hours' work at the rate of time and a half.

FIRST AID KIT.

22. A first aid kit shall be provided and kept in good order on all works.

PROVISION OF DRINKING FACILITIES.

23. Water bags and good drinking water shall be provided on all jobs.

TRAVELLING ALLOWANCE.

24. When an employee is required by the employer to work away from his usual place of employment and cannot return nightly to his usual place of residence he shall be provided with free board and lodging or paid an additional amount at the rate of 35s. per week and all fares necessarily incurred in travelling to the temporary place of employment and on returning to his usual place of residence at the termination of the work.

Time occupied in travelling to and from the temporary place of work shall be paid for at ordinary rates of pay.

PIECEWORK.

25. 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 the Board has fixed a minimum wage, provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages rates that are fixed by the Board for such work.

PERIODICAL ADJUSTMENT OF WAGES.

26. The wages rates set out in clause 2 are based upon the following basic wage rates 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 adjusted as prescribed by clause 27. Provided that the wages of apprentices improvers, juvenile workers, and adult female employees shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

Basic Wage.

Place.	Needs Basic Wage (Adjustable.)	Loading. Constant.	Total Basic Wage.	Index Number Set Assigned.
Throughout the State	£ s. d. 5 0 0	s. d. 6 0	£ s. d. 5 6 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

27. (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'all items' 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.

(b) Until the beginning of the first pay period to commence in February, 1947, the amount of the basic wage shall be as prescribed in clause 26.

(c) 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 needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "All Items" retail price index number by the factor '087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach '5 or more the basic wage shall be taken to the next higher shilling.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 7th January, 1947.