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GOVERNMENT GAZETTE.

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[1949

Factories and Shops Acts.

DETERMINATION OF THE SEWER BUILDERS BOARD.

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

(b) On the 13th September, 1927, the powers of the Board were extended to enable it to fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed as labourers in connexion with the construction of main storm water drains, whether open or closed, with a capacity not less than that of a circular drain of a diameter of 2 feet 6 inches.

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 persons employed as Labourers in connexion with the construction of sewers," has made the following Determination, namely:—

1. That as from the 14th December, 1948, the last previous Determination of this Board shall be revoked and replaced by this Determination.

WAGES.

2. NOTE.—Additional rates are provided for persons employed by Contractors. See clause 5.

(a)			Juveniles.	
Apprentices or Improvers.			Wages.	
Per Week of 40 Hours.			Per Week of 40 Hours.	
		s. d.	s. d.	
1st year	}	89 9	Persons under 19 years of age (other than apprentices or improvers) employed—(a) carrying tools; (b) as toolsmith's assistant 95 8	
2nd year				
3rd year				
PROPORTION.				
Apprentices.				
One apprentice to every three or fraction of three employees receiving not less than the rate fixed in this Determination for an employee "not elsewhere classified".				
Improvers.				
One improver to every fifty or fraction of fifty employees receiving not less than the rate fixed in this Determination for an employee "not elsewhere classified".				

All Other Employees.

(b) (i) Day shift:—

	Wages Per Week of 40 Hours.
	£ s. d.
Borer, leading (i.e., employee in charge of borers testing the ground)	7 17 6
Borer testing ground	7 10 0
Cement gun nozzle operator	8 0 0
Concrete floater	7 15 0
Concrete gauger, mixer, or handler	7 10 0
Concrete mixer-driver doing repairs	8 1 0
Concrete mixer-driver not doing repairs	7 15 0
Concrete patcher	7 15 0
Compressor employee in charge doing repairs	8 1 0
Compressor employee in charge not doing repairs	7 15 0
Foreman's assistant	7 10 0
Hammer and drill hand	7 15 0
Invert block setter	7 10 0
Jumperman	8 5 0
Leading hand (i.e., an employee in charge of six or more other employees)	9 0 0
Live sewer worker	8 2 6
Machine borer	8 5 0
Manhole builder	7 17 6
Manhole sinker (any shape)	8 0 0
Leading pipe layer and/or leading jointer	7 17 6
Pipe layer and/or jointer	7 15 0
Pitcher setter	7 15 0
Ploughman	7 5 0
Ploughman's assistant	8 0 0
Pneumatic pick or scabbler user	8 5 0
Powder monkey	7 10 0
Pump employee in charge of pump pumping water and doing repairs	7 10 0
Reinforcement placer or wiper	8 10 0
Renderer in open drains	9 2 6
Renderer in pipes, tunnels, or covered drains	7 15 0
Rigger's assistant, vent erecting	8 5 0
Rigger in charge, vent erecting or dismantling	7 10 0
Scoop filter	7 10 0
Sinker—with less than three months' experience	7 15 0
Sinker (other than manhole sinker) with three months' experience or over	7 5 0
Slurry refiller	7 15 0
Timber drawer in drives or working below 12 feet in shafts	7 15 0
Timber cutter, preparer or measurer	8 0 0
Timberman, timbering in trenches immediately behind power excavator	7 15 0
Toolsmith	7 5 0
Topman	7 17 6
Trimmer, leading (i.e., an employee in charge of trimmers)	7 15 0
Trimmer, other than leading trimmer	7 15 0
Tunneller including an employee excavating in drives	7 10 0
Vent erector or dismantler	7 10 0
Windlass hand, working alone on tripod windlass	7 10 0
Windlass hand—other	7 5 0
Employee not elsewhere classified	7 5 0

(ii) afternoon and night shift.

The wages rates provided in clause 2 (b) (i) plus an additional 5s. per shift.

FARES AND TRAVELLING TIME ALLOWANCE.

3. (a) Metropolitan.—The following payments shall be made in lieu of fares and travelling time when the place of work is within the radii named from the G.P.O., at the corner of Bourke and Elizabeth-streets, Melbourne:—

Up to and including 12 miles	2s. per day.
Over 12 miles and including 20 miles	2s. 6d. per day.
Over 20 miles and including 30 miles	3s. 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) Country.—On country work where camping facilities are not provided and travel cannot be made by a public conveyance, an employee required to travel to and/or from the place of work shall, unless a conveyance be provided by the employer (free of charge), be paid allowances in accordance with the following scale:—

Two miles each way but not more than 5 miles each way	1s. per day.
Over 5 miles each way	2s. per day.

(c) Employees of Provincial Sewerage Authorities.—Where the workman is compelled to travel to or from his work in excess of two miles from the centre of the municipality, he shall be paid ordinary rates for the time so spent in travelling, provided always that the parties may agree to starting points other than the centre of the municipality.

Provided further that where more than one starting point is fixed, each employee shall be attached to one starting point only, provided that such employee may be transferred to another starting point at any time by agreement.

When an employee travels to and from his home by vehicle drawn by a heavy dray horse, the time allowed for travelling shall be computed at the rate of four miles per hour. When an employee travels on a bicycle, or by a light horse, or by a vehicle drawn by a light horse, the time allowed for travelling shall be computed at the rate of eight miles per hour.

Should an employee have to walk to and from his work, the time allowed for travelling shall be computed at the rate of three miles per hour.

Where an employee is sent from one place to another and cannot reasonably return to his home each night, he shall be paid an allowance of 10s. per day or part thereof for the first five days and 4s. per week thereafter, except where board and lodging are provided by the employer.

ADDITIONAL ALLOWANCES.

4. (a) *Depth Allowance*.—Any person classified as an apprentice, improver, juvenile worker, topman, or an employee not elsewhere classified working at a depth of 8 feet or more, and any other employee working at a depth of 16 feet or more shall be paid an additional 3d. per hour.

(b) *Compressed Air Work*.—An employee working in an airlock or compressed air up to 20 lbs. per square inch pressure, 3s. per eight hour shift. The working hours and conditions shall be those prescribed by the Standards Association Code for work in compressed air.

(c) *Plan Allowance*.—An employee, provided he is not in charge of six or more employees, engaged on work for which he is supplied with a plan, shall be paid an additional 1s. 6d. per day.

(d) *Special Trimmer*.—A trimmer engaged in trimming an excavation where concrete is to be placed directly against the bottom, sides, or roof of the excavation, 6d. per day.

(e) *Wet Pay*.—An employee who is required to work in any excavation in which water, other than rain, is continually falling or dripping from overhead or from the sides of the excavation to such an extent that the employee's clothing is wetted, or any employee who, during the normal course of his work in any excavation, is required to stand in water exceeding 2 inches in depth, shall be paid an additional 2s. per day or portion of a day.

The payment of this allowance shall relieve an employer from any liability to supply such an employee with rubber boots.

(f) *Work in Rain*.—An employee required to work in heavy rain, 2s. per day. (Rain shall be deemed to be heavy when, if the employee works therein as required, his clothing shall become saturated.)

The payment of this allowance shall relieve an employer from any liability to supply such an employee with rubber boots.

(g) *Slurry Refiller*.—A slurry refiller when so engaged shall not be entitled to wet pay but shall receive an additional 1s. 4d. per day or portion of a day.

CONTRACTORS' EMPLOYEES.

5. *Allowance in lieu of Payment for Holidays*.—Persons employed by Contractors shall be paid the following amounts in addition to the rates set out in clause 2 in lieu of holidays set forth in clause 9.

Apprentices or Improvers	..	..	..	..	..	..	..	3s. 7d. per week.
Juvenile Workers	..	..	..	..	..	..	..	3s. 10d. per week.
All other Employees	..	..	..	..	..	..	..	7s. 6d. per week.

WORKING HOURS.

6. (a) Except as in this Determination otherwise provided, the ordinary weekly total hours shall be 40.

(b) Such hours shall be worked continuously except for meal-breaks from Monday to Friday between the hours of 7 a.m. and 5.30 p.m.

(c) Hours, not overtime, worked before or after the ordinary starting or finishing time shall be paid for at time and one half rates.

(d) Where special circumstances exist and a majority of employees desire to work longer hours on any day they may, subject to the consent of the employer and the consent of the union secretary, be permitted to do so without payment of any penalty rate provided the longer hours so worked on any one day do not exceed two (2) and the prescribed working week of 40 hours.

SHIFTS.

7. The employer may require employees to work such ordinary weekly total on a shift or relay being one of either two or three shifts or relays worked in the 24 hours, but only subject to the following conditions:—

(a) Each shift shall be worked in one period with no break except for recognized meal or smoke-oh intervals.

(b) In each shift during which the employee does not receive the same amount of time for a meal interval as that which day workers receive under this Determination he shall be allowed twenty minutes crib time, to be paid for as ordinary working time.

(c) For work done at any time during a shift, which shift comprises within its period any time falling within the time beginning at 7 p.m. and ending at the next following 6 a.m., the ordinary rate of pay shall be increased by five shillings.

(d) Where practicable, shifts shall be changed in rotation each week.

OVERTIME.

8. (a) Except as in this Determination otherwise provided, all time worked in excess of the ordinary weekly or daily total hours of work shall be paid for at one and a half times the ordinary prescribed rate for the first two hours, and at double the ordinary prescribed rate for all time thereafter.

(b) An employee recalled to work after the expiration of his customary working time for the day, and after he has left work for the day, shall be paid a minimum of two hours' pay at the rate of time and a half.

PAYMENT FOR HOLIDAYS.

9. All employees other than those employed by Contractors shall be entitled to the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Melbourne Cup Day, Christmas Day, Boxing Day, and Anzac Day (except when Anzac Day falls on a Sunday). Provided that Christmas Day and Boxing Day shall for the year, 1948, be deemed to fall on the 27th and 28th days of December, 1948, respectively, and that New Year's Day for the year, 1949, shall be deemed to fall on the 3rd day of January, 1949.

Provided further that for employees employed at work beyond a radius of 25 miles of the General Post Office, Melbourne, another day may, by agreement between the employer and the Union, be substituted for Melbourne Cup Day.

SPECIAL RATES.

10. An employee required to work on a Sunday or on any holiday other than Melbourne Cup Day prescribed in clause 9 shall be paid at double the ordinary prescribed rate. An employee required to work on Melbourne Cup Day shall be paid at ordinary rates for work done on such day, but shall be granted a day off, without deduction of pay, in lieu of such holiday.

ANNUAL HOLIDAY.

11. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, No. 5111 and any amendments which may be made thereto from time to time.

SICK PAY.

12. (a) An employee employed by the week who is absent from work on account of personal illness or injury by accident for which he is not entitled to workers' compensation shall, on production within twenty-four hours of evidence of his illness or injury satisfactory to his employer, be entitled to leave of absence on the prescribed rate of pay for a period of one week of working time in any one year. Such sick leave shall be cumulative.

(b) Notwithstanding the provisions of sub-clause (a) hereof an employee after one month of service shall be entitled to one day's sick leave.

PAYMENT OF WAGES.

13. All employees shall be paid weekly.

MEAL ALLOWANCE.

14. An employee required to work overtime for two hours or more 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. 6d., or if the work extends into a second meal hour, 5s. for the two meals, but such payment need not be made to employees living in the same locality as the job who can reasonably return home for meals.

MINIMUM PAYMENT.

15. An employee who starts work on any day shall be entitled to a minimum of two hours' pay.

MIXED FUNCTIONS.

16. (a) With the exception of live sewer work, an employee engaged for more than two hours in any one day on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for the whole of such day. If he works for two hours or less in such higher classification he shall be paid at the higher rate for the time so worked.

(b) Live sewer work shall be paid for at the live sewer rate with a minimum payment of two hours at the live sewer rate.

(c) In the event of live sewer work being of an unusually offensive nature, the effects of which are experienced by the employee after such live sewer work has ceased, such an employee shall be paid at the live sewer rate from the time the work is commenced until the completion of the day's work.

(d) The decision as to the operation of sub-clause (c) above shall be made by the Inspector or other person in charge of the job, if necessary, after consultation with the Union representative on the job.

EMPLOYEE PRESENTING HIMSELF FOR WORK.

17. An employee who presents himself for work and who is not permitted by the employer to commence work on that day for any of the following reasons, namely—wet weather, waiting until shafts are bailed out, shortage of materials, or any other reasons over which the employee has no control, shall be paid:—

(a) A full day's pay if such employee holds himself in readiness for the whole working day or if he leaves with the consent of the employer before the end of the working day.

(b) The actual time for which such employee holds himself in readiness if he leaves without the consent of the employer before the end of the working day.

EMPLOYEE ON JUMP UPS.

18. (a) An employee working on jump ups shall be supplied with assistance.

(b) An employee working on a House Branch Sewer for which a separate plan has been issued shall when the excavation reaches a depth of six feet or more be provided with assistance.

CHANGE HOUSE.

19. (a) Where two men are employed the employer shall provide canvas shelter covers.

(b) Where three or more men are employed, the employer shall provide a sufficiently roomy and enclosed roofed structure for the use of employees.

FIRST-AID OUTFIT.

20. A first-aid outfit shall be provided on all jobs by the employer.

SANITARY ACCOMMODATION.

21. The employer shall satisfy himself that reasonable sanitary facilities are available on all jobs and where necessary make provision for such facilities.

PROVISION OF STAGE OR WINDLASS.

22. An employee engaged on shaft sinking shall be provided with a stage or windlass at a suitable depth having regard to the nature of the ground. The determination of a suitable depth for the provision of such stage or windlass shall be made by the Inspector or other person in charge of the job, if necessary, after consultation with the Union representative on the job.

SHEETING SHAFTS.

23. All shafts sunk in sandy country to a greater depth than 8 feet shall be sheeted.

TOOLS.

24. The employer shall supply all tools necessary, which the employee shall return in good condition (fair wear and tear excepted).

SUPPLY OF FIREWOOD.

25. The employer shall provide, free of cost, an adequate supply of firewood on all jobs.

REST PERIODS.

26. Two rest periods, each of seven and a half minutes duration, shall be granted each day without deduction of pay at times convenient to the employer's representative in charge of the work.

DEFINITIONS.

27. (a) *Live Sewer Work.*—Live sewer work is work carried out in situations where there is direct aerial connexion with a sewer through which sewage is flowing. Where aerial connexion with such sewer is blocked by a disc, plug, water seal, or other means, the live sewer rate shall not apply.

(b) *Slurry Refiller.*—A slurry refiller is an employee who by means of hand tools mixes soil with water to a suitable consistency and/or shovels the resultant mixture into an excavation.

(c) *Renderer.*—A renderer is an employee who applies by hand a continuous coat of cement mortar to a brick, masonry, or set concrete surface, and finishes it to a true and smooth surface by means of a trowel or float.

(d) *Trimmer.*—A trimmer is an employee who, after the bulk of the material to be excavated has been removed, trims the balance of the excavation to the correct line, grade, or cross section.

PERIODICAL ADJUSTMENT OF WAGES.

28. The wages rates for other employees set out in clause 2 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 adjusted as prescribed by clause 29.

Provided that the rates for improvers and juvenile workers shall be adjusted proportionately to the basic wage, such adjustments to be to the nearest penny, half or less than half of one penny to be disregarded.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
Throughout the State of Victoria	£ s. d. 5 14 0	s. d. 6 0	£ s. d. 6 0 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

29. (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, 1949, the amounts of the basic wage shall be as prescribed in clause 28.

(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.

MARGINAL RATES.

30. In addition to the basic wage provided in clause 28 the margins set out in this clause shall be the minimum rate payable to employees therein provided:—

Classification.	Margins Per Week.
	£ s. d.
Borer, leading (i.e., employee in charge of borers testing the ground)	1 17 6
Borer testing ground	1 10 0
Cement gun nozzle operator	2 0 0
Concrete floater	1 15 0
Concrete gauger, mixer or handler	1 10 0
Concrete mixer-driver doing repairs	2 1 0
Concrete mixer-driver not doing repairs	1 15 0
Concrete patcher	1 15 0
Compressor employee in charge doing repairs	2 1 0
Compressor employee in charge not doing repairs	1 15 0
Foreman's assistant	1 10 0
Hammer and drill hand	1 15 0
Invert block setter	1.15 0
Jumperman	1 10 0
Leading hand (i.e., an employee in charge of six or more other employees)	2 5 0
Live sewer worker	3 0 0
Machine borer	2 2 6
Manhole builder	2 5 0
Manhole sinker (any shape)	1 17 6
Leading pipe layer and/or leading jointer	2 0 0
Pipe layer and/or jointer	1 17 6
Pitcher setter	1 15 0
Ploughman	1 15 0
Ploughman's assistant	1 5 0
Pneumatic pick or scabbler user	2 0 0
Powder monkey	2 5 0
Pump employee in charge of pump pumping water and doing repairs	1 10 0
Reinforcement placer or wirer	1 10 0
Renderer in open drains	2 10 0
Renderer in pipes, tunnels, or covered drains	3 2 6
Rigger's assistant, vent erecting	1 15 0
Rigger in charge, vent erecting or dismantling	2 5 0
Scoop filler	1 10 0
Sinker—with less than three months' experience	1 10 0
Sinker (other than manhole sinker) with three months' experience or over	1 15 0
Slurry refiller	1 5 0
Timber drawer in drives or working below 12 feet in shafts	1 15 0
Timber cutter, preparer or measurer	1 15 0
Timberman, timbering in trenches immediately behind power excavator	2 0 0
Toolsmith	1 15 0
Topman	1 5 0
Trimmer, leading (i.e., an employee in charge of trimmers)	1 17 6
Trimmer, other than leading trimmer	1 15 0
Tunneller including an employee excavating in drives	1 15 0
Vent erector or dismantler	1 10 0
Windlass hand, working alone on tripod windlass	1 10 0
Windlass hand, other	1 5 0
Employee not elsewhere classified	1 5 0

Melbourne, 14th December, 1948.

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

J. W. RYAN, Secretary.

