



VICTORIA
GOVERNMENT GAZETTE.

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[1949

Factories and Shops Acts.

DETERMINATION OF THE PAINTERS BOARD.

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

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

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

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

- (a) Painting, other than ship painting or painting under the jurisdiction of any Wages Board heretofore appointed of hereafter to be appointed;
- (b) Paperhanging;
- (c) Sign or poster writing, and any work incidental thereto;
- (d) Producing signs or posters by means of stencils, screens, or other like methods, and any work incidental thereto—has made the following Determination, namely:—

That, as from the beginning of the first pay period to commence on or after the 8th May, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART I.

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

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

2. (i) WAGES.

(a) Apprentices and Improvers.				(b) Other Employees.			
Apprentices.				All classes of work			
			Per week of 49 Hours. <i>s. d.</i>			Per Hour. <i>s. d.</i>	Per week of 40 Hours. <i>s. d.</i>
1st year's experience	..	..	36 0	..	..	5 0½	201 8
2nd "	..	..	48 6				
3rd "	..	..	60 6				
4th "	..	..	93 6				
5th "	..	..	122 0				
Improvers.							
				Per Week of 40 Hours.			
				Until the Beginning of the First Pay Period to Commence in June, 1949.		Thereafter.	
				<i>s. d.</i>		<i>s. d.</i>	
1st year's experience	..	..	36 0	43 2			
2nd "	..	..	48 6	58 2			
3rd "	..	..	60 6	79 10			
4th "	..	..	93 6	112 2			
5th "	..	..	122 0	146 5			

WAGES—continued.

(a) Apprentices and Improvers.	(b) Other Employees.						
<p style="text-align: center;">PROPORTION (BY ANY EMPLOYER).</p> <p style="text-align: center;"><i>Apprentices.</i></p> <p>One apprentice to every three journeymen or fraction of three journeymen employed.</p> <p>In cases where not more than three journeymen are employed at the trades, a second apprentice may be employed on the completion, by the first apprentice, of the second year of his apprenticeship course.</p> <p style="text-align: center;"><i>* Improvers.</i></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">One improver to three</td> <td style="width: 30%;">workers receiv-</td> </tr> <tr> <td>Two improvers to six</td> <td>ing not less</td> </tr> <tr> <td>Three improvers to twelve and there- after one additional improver to every twelve additional</td> <td>than 20s. 8d. per week of 40 hours.</td> </tr> </table>		One improver to three	workers receiv-	Two improvers to six	ing not less	Three improvers to twelve and there- after one additional improver to every twelve additional	than 20s. 8d. per week of 40 hours.
One improver to three	workers receiv-						
Two improvers to six	ing not less						
Three improvers to twelve and there- after one additional improver to every twelve additional	than 20s. 8d. per week of 40 hours.						

(ii) An employer shall not employ any minor at work covered by this Part unless under a contract of apprenticeship, provided that any person who on or before the 1st June, 1949, was employed as an improver may continue to be so employed and paid at the rate prescribed in sub-clause (i) hereof for an improver of like experience.

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

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

(a) If in charge of five tradesmen as aforesaid—1s. per day:

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

HOURS.

3. The ordinary hours shall be 40 per week to be worked in five days, the daily hours being 8 hours per day Monday to Friday inclusive, between the hours of 7.45 a.m. and 5.15 p.m. each day. The lunch break shall be not less than 45 minutes.

OVERTIME.

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

HOLIDAYS AND SUNDAY WORK.

5. (a) Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, or Boxing Day.

(b) An apprentice who is not required to work on any holiday prescribed in sub-clause (a) hereof shall be entitled to the same conditions as may be prescribed from time to time for apprentices under the jurisdiction of the Apprenticeship Commission.

SPECIAL RATES.

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

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

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

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

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

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

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

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

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

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

INCLEMENT WEATHER.

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

- (i) That such allowance shall not exceed the equivalent of eight hours' pay in any one week.
- (ii) That weather shall not be regarded as inclement for the purposes of this clause, unless the employer or his representative on the job, and a representative of the men on such job, agree that it shall be so regarded. Failing such agreement weather shall not be regarded as inclement and work shall continue.
- (iii) Any intermission of work owing to inclement weather so regarded as aforesaid shall immediately cease and work shall be immediately resumed on the employer or his representative calling for a resumption of work.
- (iv) An employee shall not be entitled to payment as provided for in this clause, unless he remains on the job until a decision to cease work for the day has been made by agreement between the employer or his representative and a representative of the men.
- (v) The intermission of work by employees who would be exposed to or working in inclement weather so regarded in accordance with this clause shall not be a ground for intermission of work in places where employees are not so exposed to or are not called upon to work in such inclement weather.

ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

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

	<i>s. 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 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, reasonable and 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	12 9 per day
For a full working week at the rate of	52 6 per week

Provided that the foregoing allowances shall be increased if the employee satisfies the employer that he reasonably incurred a greater outlay than that prescribed.

(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.

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

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.

EXCESS OF HOURS.

11. 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.

12. (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 HOLIDAY.

13. 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 LEAVE.

14. An apprentice absent from duty on account of ill health or injury shall be entitled to the same conditions as may be prescribed from time to time for apprentices under the jurisdiction of the Apprenticeship Commission.

PAYMENT OF WAGES.

15. Wages, allowances, and other moneys 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 moneys shall be paid at the time of dismissal. If wages be not paid within the periods prescribed the employee shall be paid at ordinary rates for all time in excess of fifteen minutes beyond such time until the wages are paid or posted to his last known place of address.

TIME AND WAGES BOOK.

16. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.
 (b) The time occupied by an employee in filling in any time record or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out when entering or leaving the employer's premises.
 (c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place, provided 24 hours' notice of such inspection has been given. Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed. Provided also that only one demand for such inspection shall be made in one fortnight at the same establishment.
 (d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

TOOLS AND APPLIANCES.

17. (a) Each painter shall provide himself with an ordinary dusting brush and all necessary stripping and stopping knives, hammer, hacking knife, screwdriver, glazing knife, and a rule.
 (b) Each paperhanger shall provide himself with a lay-brush, scissors, rule, plumb-bob, chalk-line, and trimming knife (if he requires such an instrument), and also with surface and joint rollers.
 (c) Each signwriter shall provide himself with a mahl-stick, rule, straight-edge, chalk-line, pencils and gilding cushion, mop, knife and tip.
 If any employee is required to provide any tools or appliances other than those above enumerated, 6d. per hour in addition to the ordinary rates fixed by this Determination shall be paid by the employer. The employer shall supply all tools necessary for the use of apprentices.

TRANSPORT.

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

WASHING TIME.

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

EMPLOYEES REPORTING FOR DUTY.

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

WAITING TIME.

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

TERMINATION OF EMPLOYMENT.

22. 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.

23. The provisions of clause 22 of this Part shall not apply to the employment of apprentices.

TIME OFF FOLLOWING ACCIDENT.

24. 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, pursuant to the provisions of the *Workers' Compensation Act 1946*) 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.

PERIODICAL ADJUSTMENT OF WAGES.

25. The wages rates set out in clause 2 (b) of this Part are based upon the following basic wage for adult males, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Wages Board hereby determines that such rates shall be automatically adjusted as prescribed in clause 26 of this Part.

Place.	Needs Basic Wage for Adult Males (adjustable).	Loading (Constant).	Total Basic Wage for Adult Males.	Index Number Set Assigned.
	£ s. d.	£ s. d.	£ s. d.	
Throughout the State	5 19 0	0 6 0	6 5 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

26. (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 August, 1949, the amounts of the basic wage shall be as prescribed in clause 25 of this Part.
 (c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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.
 (d) The weekly wage and hourly rate prescribed in clause 2 of this Part are ascertained as follows:—

Basic wage	£ s. d.	} Allowing two weeks for statutory holidays, one week for following the job, and one week's sick pay, the weekly wage should be £10 1s. 8d. per week = 5s. 0½d. per hour. (i.e. $\frac{£9\ 6\ 6 \times 52}{48 \times 40}$)
Margin for skill	2 6 0	
War loading	0 6 0	
Tool allowance	0 4 0	
Disabilities allowance	0 5 6	
Total	9 6 6	

ADJUSTMENT OF WAGES OF APPRENTICES AND IMPROVERS.

27. The wages rates of apprentices, as prescribed in clause 2 of this Part, shall be automatically adjusted to accord with the wages rates, as adjusted from time to time, for apprentices in the metropolitan district who are under the jurisdiction of the Apprenticeship Commission.

The wages rates for improvers shall be those prescribed from time to time for apprentices, plus an additional 20 per cent. calculated to the nearest penny.

PART II.

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

2.

WAGES.

(a) Apprentices and Improvers.				(b) Juvenile Workers, i.e., Persons under 21 years of Age (other than Apprentices or Improvers) engaged in producing Signs or Posters by means of Stencils, Screens, or other like methods or at any work incidental thereto.			
Apprentices.		Per week of 40 hours.				Per week of 40 hours.	
		<i>s. d.</i>				<i>s. d.</i>	
1st year's experience	.. .. .	36	0	1st year's experience	.. .. .	36	0
2nd "	" " " "	48	6	2nd "	" " " "	48	6
3rd "	" " " "	66	6	3rd "	" " " "	66	6
4th "	" " " "	93	6	4th "	" " " "	93	6
5th "	" " " "	122	0	5th "	" " " "	122	0
Improvers.				PROPORTION.			
		Per Week of 40 Hours.		(i) Where one screen table is in operation—			
		Until the Beginning of the First Pay Period to Commence in June, 1949.				Two juvenile workers to each person receiving not less than 195s. 6d. per week of 40 hours.	
		Thereafter.		(ii) Where two or more screen tables are in operation—			
		<i>s. d.</i>				For each two screen tables, four juvenile workers to each two fully-paid workers, provided that one of such fully-paid workers shall receive not less than 195s. 6d. per week of 40 hours.	
		<i>s. d.</i>					
1st year's experience	.. .. .	36	0				
2nd "	" " " "	48	6				
3rd "	" " " "	66	6				
4th "	" " " "	93	6				
5th "	" " " "	122	0				
PROPORTION (BY ANY EMPLOYER).							
Apprentices.							
One apprentice to every three journeymen or fraction of three journeymen employed.							
In cases where not more than three journeymen are employed at the trades, a second apprentice may be employed on the completion, by the first apprentice, of the second year of his apprenticeship course.							
* Improvers.							
One improver to three workers receive-							
Two improvers to six ing not less							
Three improvers to twelve and thereafter one additional improver to every twelve additional per week of 40 hours.							

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

(c) OTHER EMPLOYEES.

(A) All classes of work, other than the production of signs or posters by means of stencils, screens, or other like methods. Persons employed at— Sign or poster writing, graining or painting, or paper-hanging, or at any other work specified in (A) ..	(i) Within 20 Miles of the Principal Post Office at Elizabeth street, Melbourne ;		(ii) Within 5 Miles of the Post Office at Mildura ;		(iii) Within the Gippsland District as defined herein (except within a radius of 3 Miles of the Post Office at Yallourn).		(iv) Within 10 Miles of the Principal Post Offices at Geelong and Warrnambool, respectively.	
	WAGES.		WAGES.		WAGES.		WAGES.	
	Per hour.	Per week of 40 hours.	Per hour.	Per week of 40 hours.	Per hour.	Per week of 40 hours.	Per hour.	Per week of 40 hours.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	
	4 11½	198 0	5 1½	204 6	4 10½	195 0		
(B) Producing signs or posters by means of stencils, screens, or other like methods, or any work incidental thereto. Persons employed at— (i) Signwriting designing forming or lettering any pictorial design, including the cutting of stencils (ii) Any other work specified in (B)	4 11½	198 0	5 1½	204 6	4 10½	195 0		
	3 2½	128 0	3 4½	134 6	3 1½	125 0		

Notwithstanding anything contained in clause 2 (c) (A) and (B) (i) of this Part any employee, within six months of his first employment in any place, whose employment is terminated by the employer for any cause other than misconduct or incompetence, shall on such termination be entitled to be paid for such work performed by him an additional amount at the rate of 3s. 10d. per week.

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

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

(e) An employer shall not employ any minor at work covered by this Part, other than as a juvenile worker as defined, unless under a contract of apprenticeship, provided that any person who on or before the 1st June, 1949, was employed as an improver may continue to be so employed and paid at the rate prescribed in sub-clause (a) hereof for an improver of like experience.

HOURS.

3. The ordinary hours shall be 40 per week to be worked in five days, the daily hours being 8 hours per day Monday to Friday inclusive, between the hours of 7.45 a.m. and 5.15 p.m. each day. The lunch break shall not be less than 45 minutes.

OVERTIME.

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

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

HOLIDAYS AND SUNDAY WORK.

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

(b) An apprentice who is not required to work on any holiday prescribed in sub-clause (a) hereof shall be entitled to the same conditions as may be prescribed from time to time for apprentices under the jurisdiction of the Apprenticeship Commission.

INCLEMENT WEATHER.

6. 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.

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

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

(b) If the employer provides or offers to provide transport free of charge, 1s. 4d. per day travelling allowance shall be paid. Provided that this sub-clause shall not operate if the employee is transported in the employer's time.

(c) Where fares are necessarily incurred on distant jobs, as defined in clause 8 (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.

(d) Sub-clauses (a), (b), and (c) of this clause shall not operate when an employee is employed on maintenance work at his recognized centre. Such centre shall be fixed for a period of not less than six months, and shall be specified at the time of the commencement of the employment, or on request.

ALLOWANCES IN RESPECT OF DISTANT JOBS.

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

	<i>s.</i>	<i>d.</i>
For less than a full week	12	9 per day
For a full working week at the rate of	52	6 per week

Provided that the foregoing allowances shall be increased if the employee satisfies the employer that he reasonably incurred a greater outlay than that prescribed.

(b) In lieu of the payments prescribed in clause 7 (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.

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

SPECIAL RATES.

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

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

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

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

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

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

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

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

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

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

REST PERIOD.

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

PAYMENT OF WAGES.

11. (a) If an employee leaves or is dismissed he shall be paid his wages on leaving or being dismissed, or paid by post or otherwise on the next working day.

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

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

TOOLS AND APPLIANCES.

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

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

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

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

ALLOWANCE IN RESPECT OF MEALS.

13. 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.

SUPPLY OF HOT WATER.

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

CARE OF EMPLOYEES' TOOLS, ETC.

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

TIME AND WAGES BOOK.

16. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place, provided 24 hours' notice of such inspection has been given. Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed. Provided also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

TRANSPORT.

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

WASHING TIME.

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

ANNUAL HOLIDAY.

19. 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 LEAVE.

20. An apprentice absent from duty on account of ill health or injury shall be entitled to the same conditions as may be prescribed from time to time for apprentices under the jurisdiction of the Apprenticeship Commission.

ADDITIONAL ANNUAL AND SICK LEAVE FOR SPECIAL CIRCUMSTANCES.

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

(a) one week's additional leave with pay, and

(b) payment for a maximum of 40 hours for sickness (duly certified) in any one year, provided that in the event of an employee not claiming payment in whole or in part in any year, the number of days not claimed shall be held to his credit the following year or years, subject to a maximum of 120 hours for sickness. For the purposes of sub-clause (b) hereof service prior to the 1st July, 1945, shall be disregarded. "Mixed Industry" means an industry where the work performed by painters (that is, any work to which this Determination applies) is subsidiary and auxiliary to the chief and principal purpose and business of such industry.

EMPLOYEES REPORTING FOR DUTY.

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

TERMINATION OF EMPLOYMENT.

23. 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.

When notice has been given by the employer such hour shall be allowed the employee to gather, clean, pack and transport his tools.

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

WAITING TIME.

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

TIME OFF FOLLOWING ACCIDENT.

25. 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 pursuant to the provisions of *Workers' Compensation Act 1946*), 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.

DEFINITIONS.

26. "Gippsland District" shall mean the following area, viz.:—From Hallam (beyond Dandenong) to the south to Lyndhurst, Wonthaggi, across to Port Albert, to Orbest, to Briagolong, to Walhalla, to Noojee, to Hallam.

"Centre" shall mean the employer's usual place of business.

PERIODICAL ADJUSTMENT OF WAGES.

27. The wages rates set out in clause 2 (c) of this Part are based upon the following basic wage for adult males and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Wages Board hereby determines that such rates shall be automatically adjusted as prescribed in clause 28 of this Part.

Place.	Needs Basic Wage for Adult Males (adjustable).	Loading (Constant).	Total Basic Wage for Adult Males.	Index Number Set Assigned.
	£ s. d.	£ s. d.	£ s. d.	
Within 20 miles of the Principal Post Office at Elizabeth-street, Melbourne—Males	5 19 0	0 6 0	6 5 0	Melbourne
Within 10 miles of the principal Post Offices at Geelong and Warrnambool respectively—same as the contemporaneous basic wage for Melbourne.				
Within 5 miles of the Post Office at Mildura; within the Gippsland District as herein defined (except Yallourn)—same as the contemporaneous basic wage for Melbourne.				
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week.				
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.				

ADJUSTMENT OF BASIC WAGE.

28. (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 August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 27 of this Part.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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.

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

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

The wages rates for improvers shall be those prescribed from time to time for apprentices, plus an additional 20 per cent. calculated to the nearest penny.



VICTORIA GOVERNMENT GAZETTE.

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[1949

Factories and Shops Acts.

DETERMINATION OF THE BRICKLAYERS BOARD.

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

(2) On the 7th July, 1926, the power to determine the lowest prices or rates which may be paid to any persons employed laying or fixing faience or majolica on floors, walls, or ceilings, was taken from the Tilelayers Board and conferred exclusively on the Bricklayers Board.

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 labourers) wheresoever employed in the process, trade or business of a bricklayer," has made the following Determination, namely:—

- (i) That as from the beginning of the first pay period to commence on or after [the 19th July, 1949, the last previous Determination of this Board as amended by the Industrial Appeals Court on the 27th September, 1948, shall be revoked and replaced by this Determination.

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.

(a) Apprentices.—PER WEEK.				Improvers.—PER WEEK.					
				Weekly Rate.	Weekly Rate.	War Time Loading.	Total Weekly Wage.		
				s. d.	s. d.	s. d.	s. d.		
1st year	36 0	1st six months	..	28 6	1 0	29 6
2nd year	48 6	2nd six months	..	41 0	1 6	42 6
3rd year	66 6	2nd year	..	59 3	2 0	61 3
4th year	93 6	3rd year	..	95 9	3 0	98 9
5th year	122 0	4th year	..	122 9	4 0	126 9
					5th year	..	139 3	4 6	143 9

PROPORTION (IN ANY PLACE).

One apprentice to every three bricklayers or fraction thereof receiving not less than the minimum wage of 20s. 8d. per week.

An amended indenture of apprenticeship was approved on 7th September, 1940.

PROPORTION (IN ANY PLACE).

One improver to every four bricklayers or fraction thereof receiving not less than the minimum wage of 20s. 8d. per week.

(b) *Other Employees.—PER WEEK.*

	Per Week.	Per Hour.
	<i>s. d.</i>	<i>s. d.</i>
(1) Foreman bricklayer in charge of three or more employees (see clause 21 of this Part)		
(2) Bricklayers employed on sewerage work, drainage work, or underground work such as tunnelling	212 7	5 3½
(3) Bricklayers employed in the construction of, and/or repairs to gas retorts for the manufacture of gas, or retorts used in the manufacture and/or refining of oil from shale or coal—		
(a) Where the temperature does not exceed 120° Fahrenheit	231 8	5 9½
(b) Where the temperature exceeds 120° Fahrenheit	251 8	6 3½
(4) Bricklayers employed on old firework and/or repairs to boilers, bakers' ovens, furnaces, and all work pertaining thereto—		
(a) Where the temperature does not exceed 120° Fahrenheit	231 8	5 9½
(b) Where the temperature exceeds 120° Fahrenheit	251 8	6 3½
(5) Bricklayers employed on all new firework, construction of stills, towers, and acid-resisting brickwork, and all work pertaining thereto other than repairs to same	212 7	5 3½
(6) Bricklayers employed on repair work to acid furnaces, acid stills, acid towers, and all other acid-resisting brickwork	251 8	6 3½
(7) Bricklayers laying glass bricks	201 8	5 0½
(8) Bricklayers engaged below ground level (in underpinning the foundation of an adjoining building)	209 0	5 2½
(9) All other bricklayers	201 8	5 0½
(10) Persons employed laying or fixing faience or majolica on floors, walls, or ceilings..	201 8	5 0½
Bricklayers employed building chimney stacks shall be paid—		
Over 50 feet to 100 feet, at the rate of 7s. 6d. per week extra.		
And for every additional 50 feet or fraction thereof, at the rate of 7s. 6d. per week extra.		
Bricklayers employed laying cement blocks (other than cindercrete blocks for plugging purposes) shall be paid the rate prescribed for "All other bricklayers" plus—		
Where the blocks weigh over 12 lb. and under 20 lb., 3d. per hour;		
Where the blocks weigh 20 lb. or over and up to 40 lb., 6d. per hour;		
Where the blocks weigh over 40 lb., 9d. per hour.		

* NOTE.—Section 151, Act 3877, reads as follows:—"When in any Determination a Wages Board has fixed a wages rate only for wholly or partly preparing or manufacturing either inside or outside a factory, any articles or for doing any work, then it shall not be lawful for any person to pay or authorize or permit to be paid therefor any piecework prices, and the receipt or acceptance of any piecework prices shall not be deemed to be payment or part payment of any such wages."

DIRTY WORK.

3. Bricklayers employed at work as described in clause 2 (b) of this Part, classifications (2), (3), (4), (6), and (8), which is of an unusually dirty nature shall be allowed 10 minutes as washing time on completion of each day's work.

WORKING IN EXCESSIVE HEAT.

4. When a bricklayer in the last two hours of his day's work is working in artificial heat exceeding 120° Fah. he shall be allowed ten minutes of working time in which to cool off.

HOURS.

5. The ordinary hours shall be 40 per week to be worked in five or five and a half days, the daily hours being respectively not more than 8 hours 48 minutes Monday to Friday inclusive or 8 hours Monday to Friday inclusive and not more than 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 noon on Saturday. The lunch break shall not be less than 42 minutes.

OVERTIME.

6. (a) Persons employed on sewerage work, drainage work, or underground work not connected with building construction, shall be paid:—

For work done in excess of 40 hours in any week Time and a half.

(b) Persons employed on any other work shall be paid:—

For work done within the hours fixed as the time of beginning and ending work—

(i) In excess of 4 hours on the day on which the half-holiday is usually observed and 8 hours on the other working days of the week Time and a half.

(ii) In excess of 40 hours in any week Time and a half.

For work done on the weekly half-holiday after noon Double time.

For work done on the other working days of the week—

Between the time of ending work as prescribed in clause 5 of this Part and 8 p.m. .. Time and a half.

Between 8 p.m. and midnight Double time.

Between midnight and the time of commencing work as prescribed in clause 5 of this Part .. Double time.

Provided that where an employee commences work at or before midnight and continues such work after the usual time for commencing work on the ensuing day, he shall be entitled to be paid at the rate of double time until the completion of such period of continuous work.

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:—

	<i>s.</i>	<i>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 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, reasonable and suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause the allowance to be made shall be—

	<i>s.</i>	<i>d.</i>
For less than a full week	12	9 per day
For a full working week at the rate of	52	6 per week

Provided that the foregoing allowances shall be increased if the employee satisfies the employer that he reasonably incurred a greater outlay than that prescribed.

(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.

WORK ON SUNDAYS AND PUBLIC HOLIDAYS.

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

14. 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.

FIRST-AID OUTFIT.

15. An efficient first-aid outfit shall be supplied on all jobs where building permits are necessary.

TRANSPORT.

16. If an employee is required to work overtime or on a Sunday or holiday (mentioned in clause 11 of this Part) and no regular means of conveyance is available the employer shall at the request of the employee provide suitable transport to convey him to the job or to his residence as the case may be. If the employer fails to provide such transport he shall pay to the employee such reasonable amount as has been necessarily incurred by him.

PAYMENT OF WAGES.

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

INSPECTION OF TIME SHEETS AND BOOKS.

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

TOOLS.

19. Each employer shall provide at the works a safe and suitable place for the tools of his employees.

SHELTER.

20. Each employer shall provide suitable dressing accommodation with a dry floor, and including seating, on all jobs unless it is impracticable to do so due to site conditions or building regulations. Where three or more men are employed, and the work is estimated to last one week or more, a shelter shed based on six square feet per person with a minimum of 50 square feet, shall be provided. Such shed shall be for the exclusive use of workmen and not used for the storage of building materials.

FOREMAN AND LEADING HAND.

21. (a) Where three or more journeymen bricklayers are employed on any job one shall be a foreman and entitled to the additional rate prescribed in sub-clause (c) of this clause.

(b) In addition to a foreman bricklayer, where the work under construction is performed by journeymen bricklayers working in groups, or in the form of separate units, for every ten journeymen bricklayers employed under a foreman (as defined in sub-clause (a) hereof), at least one of such bricklayers shall be classified as a leading hand, and paid the additional rate prescribed in sub-clause (c) of this clause.

(c) A foreman bricklayer or a leading hand shall be entitled to the following rate in addition to the ordinary rate prescribed for the highest class of work done under his supervision as follows:—

Foreman bricklayer—				
(i) In charge of three and not more than nine journeymen bricklayers	..	..	..	4d. per hour
(ii) In charge of ten or more journeymen bricklayers	..	..	..	8d. per hour
Leading hand	..	..	..	2½d. per hour

TERMINATION OF EMPLOYMENT.

22. 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.

23. The provisions of clause 22 of this Part shall not apply to the employment of apprentices.

PART II.

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

2.

* WAGES.

(a) Apprentices.—PER WEEK.		Improvers.—PER WEEK.			
Weekly Rate.		Weekly Rate.	War Time Loading.	Total Weekly Wage.	
s. d.		s. d.	s. d.	s. d.	
1st year	36 0	1st six months	28 6	1 0	29 6
2nd year	48 6	2nd six months	41 0	1 6	42 6
3rd year	66 6	2nd year	59 3	2 0	61 3
4th year	93 6	3rd year	95 9	3 0	98 9
5th year	122 0	4th year	122 9	4 0	126 9
		5th year	139 3	4 6	143 9

PROPORTION (IN ANY PLACE).

One apprentice to every three bricklayers or fraction thereof receiving not less than the minimum wage of 197s. 6d. per week.

An amended indenture of apprenticeship was approved on 7th September, 1940.

PROPORTION (IN ANY PLACE).

One improver to every four bricklayers or fraction thereof receiving not less than the minimum wage of 197s. 6d. per week

(b) Other Employees.—PER WEEK.

	Per Week.	Per Hour
	s. d.	s. d.
(1) Foreman bricklayer in charge of three or more employees (see clause 12 of this Part)		
(2) Bricklayers employed on sewerage work, drainage work, or underground work such as tunnelling not connected with building construction	208 5	5 2½
(3) Bricklayers employed in the construction of, and/or repairs to gas retorts for the manufacture of gas, or retorts used in the manufacture and/or refining of oil from shale or coal—		
(a) Where the temperature does not exceed 120° Fahrenheit	227 8	5 8½
(b) Where the temperature exceeds 120° Fahrenheit	247 8	6 2½
(4) Bricklayers employed on old firework and/or repairs to boilers, bakers' ovens, furnaces, and all work pertaining thereto—		
(a) Where the temperature does not exceed 120° Fahrenheit	227 8	5 8½
(b) Where the temperature exceeds 120° Fahrenheit	247 8	6 2½
(5) Bricklayers employed on all new firework, construction of stills, towers, and acid-resisting brickwork, and all work pertaining thereto other than repairs to same	208 5	5 2½
(6) Bricklayers employed on repair work to acid furnaces, acid stills, acid towers, and all other acid-resisting brickwork	247 8	6 2½
(7) Bricklayers laying glass bricks	197 6	4 11½
(8) Bricklayers engaged below ground level (in underpinning the foundation of an adjoining building)	204 10	5 1½
(9) All other bricklayers	197 6	4 11½
(10) Persons employed laying or fixing faience or majolica on floors, walls, or ceilings	197 6	4 11½
Bricklayers employed building chimney stacks shall be paid—		
Over 50 feet to 100 feet, at the rate of 7/6 per week extra.		
And for every additional 50 feet or fraction thereof, at the rate of 7/6 per week extra.		
Bricklayers employed laying cement blocks (other than cindercrete blocks for plugging purposes) shall be paid the rate prescribed for "All other bricklayers" plus—		
Where the blocks weigh over 12 lb. and under 20 lb., 3d. per hour;		
Where the blocks weigh 20 lb. or over and up to 40 lb., 6d. per hour;		
Where the blocks weigh over 40lb., 9d. per hour.		

(c) Notwithstanding anything contained in clause 2 (b) of this Part any employee, within six months of his first employment in any place whose employment is terminated by the employer for any cause, shall on such termination be entitled to be paid for such work performed by him an additional amount at the rate of 4s. 8d. per week.

* NOTE.—Section 151, Act 3677, reads as follows:—"When in any Determination a Wages Board has fixed a wages rate only for wholly or partly preparing or manufacturing either inside or outside a factory, any articles or for doing any work, then it shall not be lawful for any person to pay or authorize or permit to be paid therefor any piecework prices, and the receipt or acceptance of any piecework prices shall not be deemed to be payment or part payment of any such wages."

DIRTY WORK.

3. Bricklayers employed at work as described in clause 2 (b) of this Part, classifications (2), (3), (4), (6), and (8), which is of an unusually dirty nature shall be allowed 10 minutes as washing time on completion of each day's work.

ALLOWANCES.

Fares.

4. (a) An amount of 3s. 6d. per week shall be made in lieu of fares on all work performed within 12 miles of the Post Office at the corner of Bourke and Elizabeth streets, Melbourne, or the principal Post Offices of the cities of Ballarat, Bendigo or Geelong. When work is performed outside that area an employee shall be paid all fares necessarily incurred in travelling to and from the job to and from his residence.

When an employee is engaged to work at such a distance that he is unable to return to his residence the same night he shall be paid, in addition to any other rates to which he is entitled:—

- (i) When the time occupied on the job is less than a working week, 10s. per day, and when such time is in excess of a working week, an allowance at the rate of £2 2s. per week. The amounts prescribed herein shall not be payable if suitable board and lodging has been provided by the employer.
- (ii) The fares necessarily expended, in addition to travelling time at ordinary rates.

Sub-clauses (i) and (ii) of this clause shall not apply to an employee unless he notifies the employer or his representative of his place of residence before being engaged.

Travelling.

(b) A travelling allowance of 1s. 4d. per day, as compensation for time lost in going to, and returning from work, shall be paid to each employee for each day he attends for work on the job at which he is for the time being engaged.

Inclement Weather.

(c) Each employee shall be paid an allowance at ordinary rates for time lost through inclement weather, not exceeding the equivalent of eight hours' pay in any one week. The question as to whether weather is inclement shall be a matter of agreement between the employer, or his representative on the job, and a representative of the men on such job. An employee shall not be entitled to payment as provided in this sub-clause unless he remains on the job until a decision to cease work has been arrived at between the representatives mentioned.

PAYMENT OF WAGES.

5. (a) All wages due shall be paid not later than Thursday in each week.

(b) An employer shall not keep more than one day's pay in hand.

(c) If an employee leaves or is dismissed he shall be paid his wages on leaving or being dismissed, or paid by post or otherwise within 24 hours thereafter. If wages are not paid within the time prescribed in this paragraph, the employee shall be deemed to continue to be employed at ordinary rates until such wages are paid.

(d) All other wages shall be paid during ordinary working hours.

TIME OF BEGINNING AND ENDING WORK.

6. The times of beginning and ending work for persons (other than those employed on sewerage work, drainage work, or underground work not connected with building construction) shall be:—

(a) Within the following part of the city of Melbourne, namely, in Flinders-street, Spencer-street, Victoria-street, and Spring-street, and within the area enclosed by such streets:—

Time of Beginning.	Time of Ending.
8 a.m.	5 p.m. Monday to Friday inclusive.
8 a.m.	noon on Saturday.

(b) All other places—

Time of Beginning.	Time of Ending.
7.45 a.m.	5.15 p.m. on each of five days in the week.
7.45 a.m.	noon on the other working day of the week on which the half-holiday is usually observed.

OVERTIME.

7. (a) Persons employed on sewerage work, drainage work, or underground work not connected with building construction shall be paid:—

For work done in excess of 40 hours in any week Time and a half.

(b) Persons employed on any other work shall be paid:—

For work done within the hours fixed as the time of beginning and ending work—

- (i) In excess of 4 hours on the day on which the half-holiday is usually observed and 8 hours on the other working days of the week Time and a half.
- (ii) In excess of 40 hours in any week Time and a half.

For work done on the weekly half-holiday after noon Double time.

For work done on the other working days of the week—

- Between the time of ending work as prescribed in clause 6 of this Part and 8 p.m. .. Time and a half.
- Between 8 p.m. and midnight Double time.
- Between midnight and the time of commencing work as prescribed in clause 6 of this Part Double time.

Provided that where an employee commences work at or before midnight and continues such work after the usual time for commencing work on the ensuing day, he shall be entitled to be paid at the rate of double time until the completion of such period of continuous work.

REST INTERVAL.

8. There shall be an interval of ten minutes at a time fixed by the employer between 9.30 a.m. and 10 a.m. for rest on each day Monday to Friday inclusive in each week for each employee, such time to count as time worked. Boiling water for tea shall be provided by the employer for the employee during such interval if the employee so desires.

FIRST-AID OUTFIT.

9. An efficient first-aid outfit shall be supplied on all jobs where building permits are necessary.

TRANSPORT.

10. If an employee is required to work overtime or on a Sunday or holiday (mentioned in clause 16 of this Part) and no regular means of conveyance is available the employer shall at the request of the employee provide suitable transport to convey him to the job or to his residence as the case may be. If the employer fails to provide such transport he shall pay to the employee such reasonable amount as has been necessarily incurred by him.

TERMINATION OF EMPLOYMENT.

11. 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.

FOREMAN AND LEADING HAND.

12. (a) Where three or more journeymen bricklayers are employed on any job one shall be a foreman and entitled to the additional rate prescribed in sub-clause (c) of this clause.

(b) In addition to a foreman bricklayer, where the work under construction is performed by journeymen bricklayers working in groups, or in the form of separate units, for every ten journeymen bricklayers employed under a foreman (as defined in sub-clause (a) hereof), at least one of such bricklayers shall be classified as a leading hand, and paid the additional rate prescribed in sub-clause (c) of this clause.

(c) A foreman bricklayer or a leading hand shall be entitled to the following rate in addition to the ordinary rate prescribed for the highest class of work done under his supervision as follows:—

Foreman bricklayer—

(i) In charge of three and not more than nine journeymen bricklayers	..	..	..	4d.	per hour
(ii) In charge of ten or more journeymen bricklayers	..	..	..	8d.	per hour
Leading hand	..	..	..	2½d.	per hour

TOOLS.

13. Each employer shall provide at the works a safe and suitable place for the tools of his employees.

SHELTER.

14. Each employer shall provide suitable dressing accommodation with a dry floor, and including seating, on all jobs unless it is impracticable to do so due to site conditions or building regulations. Where three or more men are employed, and the work is estimated to last one week or more, a shelter shed based on six square feet per person with a minimum of 50 square feet, shall be provided. Such shed shall be for the exclusive use of workmen and not used for the storage of building materials.

WORKING IN EXCESSIVE HEAT.

15. When a bricklayer in the last two hours of his day's work is working in artificial heat exceeding 120° Fah. he shall be allowed ten minutes of working time in which to cool off.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

16. All work done on—Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day—shall be paid for at the rate of double time; but if any other day be by Act of Parliament or proclamation substituted for any of the above-mentioned holidays, the special rate shall be payable only for the day so substituted.

ANNUAL HOLIDAY.

17. 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.

ADDITIONAL ANNUAL AND SICK LEAVE FOR SPECIAL CIRCUMSTANCES.

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

(a) one week's additional leave with pay, and

(b) payment for a maximum of 40 hours for sickness (duly certified) in any one year, provided that in the event of an employee not claiming payment in whole or in part in any year, the number of days not claimed shall be held to his credit the following year or years, subject to a maximum of 120 hours for sickness. For the purposes of sub-clause (b) hereof service prior to the 1st July, 1945, shall be disregarded. "Mixed Industry" means an industry where the work performed by bricklayers (that is, any work to which this Determination applies) is subsidiary and auxiliary to the chief and principal purpose and business of such industry.

ALLOWANCE IN RESPECT OF MEALS.

19. 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.

WAGE CONSTITUENTS.

20.	("All Other" Bricklayers.)	Per Week.
		£ s. d.
Basic wage	6 5 0
War loading	0 6 0
Margin	2 6 0
Disabilities loading	0 5 6
Tool allowance	0 4 0
Allowance for two weeks for statutory holidays and one week's sick pay	0 11 0
Total	9 17 6

2000

HOURS OF DUTY.

3. The ordinary hours of work shall be 40 per week, to be worked on five days between the hours of 7.30 a.m. and 5.15 p.m., from Monday to Friday inclusive.

OVERTIME.

4. (a) All work done outside the hours fixed as the times of beginning and ending work, or within such hours in excess of 40 in any week, shall be paid for at the rate of time and a half.

(b) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

5. All work done on Sunday, Good Friday, Christmas Day, or Labour Day, shall be paid for at the rate of double time, and on New Year's Day, Australia Day, Easter Saturday, Easter Monday, King's Birthday, or Boxing Day, at the rate of time and a half; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

In this clause the expressions "double time" and "time and a half" shall mean respectively, when the employee has worked on any of the days named, double the money or half as much again of the money he would have earned had the day in question been an ordinary working day.

ANNUAL LEAVE.*Period of Leave.*

6. (a) A period of twenty-one consecutive [days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee on weekly hiring in any one or more of the occupations to which this Determination applies.

Annual Leave Exclusive of Public Holidays.

(b) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 5 of this Determination and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave he shall not be entitled to be paid for any such holiday.

Broken Leave.

(c) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree in two separate periods and not otherwise.

Calculation of Continuous Service.

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

- (i) any interruption or termination of the employment by the employer if such interruption or termination 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 personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness, injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 10 shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(e) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked.

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 service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

Calculation of Month.

(f) 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.

Leave to be Taken.

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

Time of Taking Leave.

(h) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(i) 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.

Where leave has been granted to an employee pursuant to this sub-clause 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 one complete month 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-twelfth 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 by clause 5 of this Determination.

Payment for Period of Leave.

(j) Each employee before going on leave shall be paid three weeks' wages, except a shift worker or an employee taking his leave pursuant to sub-clause (c) of this clause either of whom shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (k) hereof wages shall be at the rate prescribed by clause 2 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

Proportionate Leave on Dismissal.

(k) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for 10 hours in respect of each completed month of continuous service in respect of which leave has not been granted hereunder.

Annual Close Down.

(l) Where an employer closes down his plant, or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply:—

- (i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for twenty-one consecutive days' leave, paid leave on a proportionate basis of one-quarter of a week's leave for each completed month of continuous service.
- (ii) An employee who has then qualified for twenty-one consecutive days' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall subject to sub-clause (e) hereof also be paid one-quarter of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.
- (iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.
Provided that all time during which an employee is stood off without pay for the purposes of this sub-clause shall be deemed to be time of service in the next twelve-monthly qualifying period.
- (iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (i) hereof, and subsequently within such year lawfully leaves his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (k) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

PIECEWORKERS.

(m) A pieceworker shall be entitled to the same annual leave and public holidays as a time-worker, and for such annual leave and public holidays he shall be paid at the same rate as a time-worker doing the same class of work.

PROMOTIONS.

7. (a) In shortening hands or making promotions the employer shall put efficiency foremost, and in the event of equal efficiency, shall prefer a senior man to a junior.

(b) "Efficiency" means special qualifications and aptitude including suitability in age for the discharge of the duties of the office to be filled, together with merit and good and diligent conduct.

SENIORITY LISTS.

8. Seniority lists shall be compiled by each employer showing the last date on which each employee entered the service of his employer. Each employer shall, if and when reasonably required, furnish a copy of the seniority list to the Secretary of the Union concerned.

CONDITIONS OF ENGAGEMENT.

9. (a) Except as otherwise hereinafter provided, all employees shall be engaged by the week the employment to be terminable only by a week's notice on either side, which notice may be given at any time during any week.

(b) Provided, however, subject to clauses 7 and 8 hereof, that notwithstanding any provision elsewhere herein contained any employer may deduct payment for any day the employee cannot usefully be employed because of any strike or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) Provided that for misconduct or neglect of duty by an employee, his employment may be determined forthwith without notice, in which case he shall be entitled only to an amount for wages proportionate to the amount of work done before such termination, such amount for wages to be paid forthwith.

(d) From the commencement of an employee's service during a time not exceeding two weeks, the employer may engage him by the day, subject to payment of the rate of wage prescribed for other than weekly employees.

(e) Subject to any express limitation in the terms of his engagement and to his right to determine his employment by a week's notice, an employee to become entitled to the benefits of this Determination must do such kinds of work at such times as the employer may require him to do for the time being, but the employer shall in respect of such work observe any applicable provisions of this Determination as to special or extra rates.

(f) If an employee absents himself from duty or does not attend for duty, the employer, subject to the provisions for sick leave and accident leave hereinafter contained, may deduct from the employee's wages an amount proportionate to the length of the employee's absence or non-attendance.

SICK LEAVE.

10. (a) An employee on weekly hiring who has served his present employer for a period of three weeks or more and who is absent from his work on account of illness or on account of injury or accident shall be entitled to 80 hours' sick leave (two weeks) with pay which shall be cumulative in accordance with sub-clause (b) hereof.

(b) The sick leave prescribed in sub-clause (a) hereof shall accumulate from year to year so that any balance of the period therein specified which has in any year not been allowed to an employee by an employer as paid sick leave may be claimed by the employee, and subject to the conditions prescribed shall be allowed by the employer in a subsequent year without diminution of the sick leave prescribed in respect of that year. Provided that sick leave which accumulates pursuant to this sub-clause shall be available to the employee for a period of three years, but for no longer from the end of the year in which it accrues.

(c) A pieceworker shall be entitled to the same sick leave as a time-worker, and for such sick leave he shall be paid at the same rate as a time-worker doing the same class of work.

(d) The payment for sick leave is subject to the employee or his representative notifying the employer promptly in the case of a single day absence, and the production of evidence satisfactory to the employer in the case of a longer absence.

PIECEWORK PRICES.

11. In addition to the piecework prices set out in this clause a pieceworker shall be paid 6s. War Loading for each full week worked or a pro rata amount according to the time actually worked if less than a full week is worked.

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

(a) MAKING TIN DRY ORDINARY METERS, "MET" AND "P. AND C." PATTERN, ALSO HIGH CAPACITY METERS, "P. AND C." PATTERN.

	H.C. 1.		H.C. 2.												
	per doz. £ s. d.		per doz. £ s. d.												
<i>Ordinary Meters.</i>															
Making "Met" pattern meters, i.e., doing any work necessary to complete the meter, including the putting together of all parts; preparing gratings and covers (after leaving the mould); putting on pins and wires, forming long and diaphragm chambers, throat pieces, bridges, and back plates; folding edge; breaking edges of side pipes; making valve plates; oiling, sounding, and fixing up all leaks in diaphragms; setting and grinding valves; and tinning all parts including anti-fraud boxes	19	16	11	22 0 5											
<i>Lights.</i>															
	2.	3.	5.	10.	20.										
	per doz.	per doz.	per doz.	per doz.	per doz.										
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.										
Making "P. and C." pattern meters, i.e., doing any work necessary to complete the meter, including the putting together of all parts, and the making of valve plates; oiling, sounding, and fixing up leaks in diaphragms; setting and grinding valves; preparing gratings and covers (after leaving moulds); putting on pins and wires, and tinning all parts; but not including forming long and diaphragm chambers, throat pieces, bridges, and back plates; punching cock plates; folding edge of same; and breaking edges of side pipes	12	19	1	13	8	9	15	4	6	18	5	7	26	10	2
<i>High Capacity Meters.</i>															
Making "P. and C." high capacity meters, i.e., doing any work necessary to complete the meter, including the putting together of all parts, the making of valve plates, soldering in rims, banding on diaphragms, sounding and fixing up leaks in diaphragms, setting and grinding valves, preparing gratings and covers, putting on pins and wires, and tinning all parts, but not including forming long and diaphragm chambers, throat pieces, bridges, back plates, punching cock plates, folding edge of same, breaking edges of side pipes, making up rims or bands for diaphragms, fastening tapes to rims, crimping or fastening discs to diaphragms, and oiling diaphragms; also, bending top arms.	Capacity, 100 cubic feet per hour £14 6s. 7d. per doz.					Capacity, 125 cubic feet per hour £16 9s. 5d. per doz.									

(a) MAKING TIN DRY ORDINARY METERS, "P. AND C." PATTERN.

<i>"P. and C." A.V. 2-200 feet per hour. Open Top Pattern Meters.</i>	
Making up "P. and C." A.V. 2-200 feet per hour Open Top Pattern Meters, i.e., doing the following work necessary to complete the meter, including the putting together of all parts and the making of valve plates, making up case, soldering in rims, banding on diaphragms, sounding and fixing up leaks in diaphragms, setting and grinding valves, preparing gratings and covers, tinning all parts, soldering both back and front of division, soldering flag to roller and pillar unit, soldering in rods and tees and tees and motion wires, soldering on backs and fronts, soldering in bridges, soldering in and fitting index boxes, soldering arms to covers, pinning covers and setting tangents (but not including forming centre tube throat pieces), making up rims and bands for diaphragms, fastening tapes to rims, crimping or fastening discs to diaphragms and oiling diaphragms, assembling of bridges, making up of index complete in pan with stuffing box attached, stuffing index box or drilling, tapping or screwing arms to covers.	£14 3s. 10d. per doz.

(b) MAKING TIN DRY PREPAYMENT METERS.

Making "P. and C." pattern high capacity prepayment meters, i.e., doing any work necessary to complete the meter, including the putting together of all parts, the making of valve plates, soldering in rims, banding on diaphragms, sounding and fixing up leaks in diaphragms, setting and grinding valves, preparing gratings and covers, putting on pins and wires, tinning all parts, soldering prepayment valve seat on bridge, soldering in prepayment valve, soldering top on prepayment valve box, soldering prepayment valve box to meter, soldering stuffing box to prepayment valve box and stuffing same, soldering on lever, soldering on circular box, soldering on prepayment movement and index, soldering on side cash box, soldering hasp to catch piece, soldering catch piece to meter, edging front of money box and attaching same to box, soldering on ring and tab to front of money box, trying coins in circular box, soldering on indicator, soldering bottom to cash box, but not including forming long and diaphragm chambers, throat pieces, bridges, back plates, punching cock plates, folding edge of same, breaking edges of side pipes, making up rims or bands for diaphragms, fastening tapes to rims, crimping or fastening discs to diaphragms, and oiling diaphragms.	Capacity, 100 cubic feet per hour £17 13s. 1d. per doz.
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PIREWORK PRICES—continued.

(c) MAKING RIMS AND DISCS.

	Lights.							
	2.	3.	5.	10.	20.	30.	50.	60.
	per job of 400 rims and 200 discs.	per job of 820 rims.	per job of 580 rims.	per job of 460 rims.	per job of 240 rims.	per job of 240 rims.	per doz. discs.	per doz. discs.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Making rims and discs	9 18 4	..	..	..	..	..	..	..
Making rims .. .. .	..	9 18 4	9 18 4	9 18 4	9 18 4	9 18 4	..	..
Making discs .. .. .	..	..	..	..	0 8 3½	0 12 1½	1 9 2½	1 15 1½
Making rims for circular crimped-on diaphragms .. .. .	..	..	per job of 400 rims. 8 16 5	per job of 400 rims. 9 3 1	..	..	..	..

(d) WIRING OR TYING DIAPHRAGMS.

	2, 3, or 5 Lights.	10 Lights.
	per dozen. s. d.	per dozen. s. d.
Wiring or tying diaphragms	8 10½	11 7½

(e) RENEWALS.

	Lights.				
	30.	50.	60.	80.	100.
	per doz.	per job of 6.	per job of 6.	per job of 3.	per job of 3.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
<i>Ordinary Meters.</i> Renewing in the following manner ordinary condemned meters from which the top back plate, and back and front have been removed, viz.:— Dissecting and cleaning all parts fit to be re-used and making a new meter therewith by:— Forming diaphragms and long chambers, throat pieces, bridges, back plates; punching cock plate and folding edges; breaking edges of side pipes, any other necessary work	53 14 8	41 10 5	44 8 8	30 2 5	30 2 5

(f) REPAIRING METERS.

	H.C. 1.	H.C. 2.	Lights.			
			5.	10.	20.	30.
			each meter.	each meter.	each meter.	each meter.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Repairing "Met" pattern meters, i.e., doing such of the following work as may be necessary to restore the meter to good repair, viz.:— Removing back and front; removing cock plate and back plate; cleaning meter; re-grinding valves; re-stuffing centre and side stuffing boxes; re-setting valves and top arms; inserting new diaphragms; removing index; putting in new valve arms, index glass, or new tin work	21 1	21 1	19 6	23 3½	32 11½	38 2
Repairing prepayment slot meters, i.e., doing such of the following work as may be necessary to restore the meter to good repair, viz.:— Cleaning meter; re-grinding valves; re-stuffing boxes; re-setting top arms and valves; removing top and back plates; taking off and replacing back and front, and inserting new diaphragms, new valve arms, and index glass; putting in a new cover to shut off valve; putting on staple and spring, and soldering wire along cash box (but not including repairs to handles) .. .. .	..	..	per job of ten meters £ s. d. 11 4 5	..	..	..
Inserting new leather on shut off valve in Parkinson pattern prepayment meter .. .. .	..	..	s. d. 2 5½	..	..	..

PIECWORK PRICES—continued.

(f) REPAIRING METERS—continued.

	Lights.				
	2.	3.	5.	10.	20.
	each meter. s. d.	each meter. s. d.	each meter. s. d.	each meter. s. d.	each meter. s. d.
Repairing tin dry ordinary meters in the following manner:—					
(a) Cleaning meter; inserting diaphragms; setting or re-grinding valves; re-stuffing boxes; removing and replacing cock plates and index	7 10	8 9	9 6	10 6	14 4
(b) Cleaning meter; cutting discs; oiling diaphragms; setting or re-grinding valves; re-stuffing boxes; removing cock plate and index; taking off and putting in back and front	6 6	6 6	6 6	6 8	9 11
Repairing tin dry prepayment meters, extra on above (a) and (b):—					
(i) Meters fitted with 1977 movements	2 6	2 6	2 6	2 6	2 6
(ii) Meters fitted with 1924 and similar movements	3 0	3 0	3 0	3 0	3 0
(iii) Other meters	2 3	2 3	2 3	2 3	2 3

} With 95 per cent. added.

(g) EXTRAS.

Article.	Lights.	Price.	Article.	Lights.	Price.
		s. d.			s. d.
Frame and door	2, 3, 5, 10	0 7	Pipes inside inlet	2, 3, 5, 10 to 20	2 0 pair
Bottom and studs	2, 3, 5, 10	1 4	Other pipes	2, 3, 5, 10	1 0 "
	20	1 8	Galleries	2, 3, 5, 10	2 0 "
Bridge	2, 3, 5, 10	1 0		20	1 3 "
	20	1 3	Guides	2 to 20	1 8 "
Rod arms	2, 3, 5, 10	0 4 pair	Feet	2, 3, 5, 10	0 4 set
	20	0 8 "		20	1 0 "
Valve arms	2, 3, 5, 10	0 3 "	Rod stuffing boxes	2, 3, 5, 10	0 5 pair
Valve-box covers	2, 3, 5, 10	0 6	Clean valves and set to zero	2	2 0
Divisions	2, 3, 5, 10	2 2		3 and 5	2 4
Half-valve plate	2	2 3		10	2 5
	3	2 5	Slot meters extra on above	20	2 11
	5	2 7	Taking off and putting on back and front only		1 2 each
	10	2 9		2	1 3 pair
	20	2 11		3 and 5	1 6 "
New door	2	0 2		10	1 8 "
Motion wires	2, 3, 5, 10	0 7 pair	Turn-over backs and fronts	20	2 3 "
	20	1 3 "	Condemning	2 to 20	0 5 "
Throat pieces	2, 3, 5, 10	1 0 "		2	1 3
Side chambers	2, 3, 5, 10	0 6 each		3, 5, 10	1 5
			Piecing cases	20	1 11
New sides	2, 3, 5, 10	4 4 pair	Putting in deep rim diap.	2 to 20	0 6
Tees	2, 3, 5, 10	1 0 "		3	0 7 pair
	20	1 3 "		5	0 5 "

} With 95 per cent. added.

NOTE.—(i) "Leaks round grating" and "All crutch leaks" shall be paid for at wages rates.
 (ii) All materials for piecwork, except that set out in sub-clause (d) of the piecwork schedule, supplied to the employee in good order and condition.

PERIODICAL ADJUSTMENT OF WAGES.

12. The wages rates for adult males set out in clause 2 are 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 rates shall be automatically adjusted as prescribed in clause 13. Provided that proportionate adjustments to the rates for apprentices and improvers, and to the piecwork prices, shall be made at the same time.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant.)	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State	5 19 0	6 0	6 5 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

13. (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 August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 12.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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.

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

J. W. RYAN, Secretary.

Melbourne, 11th July, 1949.

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