



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, NOVEMBER 29.

[1951

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 12 (FUEL AND FODDER).

NOTES.—(1) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, Warrnambool, and of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

(2) By Orders in Council made on the 10th September, 1913, and 21st October, 1930, power was conferred on the Coal and Coke Board to determine the lowest prices or rates which may be paid to any person or persons, or classes of persons, employed in any business or occupation connected with the sale or distribution of coal or coke by any—

- (a) coal importer;
- (b) coal mine owner;
- (c) gas company;
- (d) agent or contractor who distributes coal or coke for any coal importer, coal mine owner, or gas company.

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

- (a) employed in the business of a hay, corn, or chaff dealer;
- (b) employed in carting or driving or assisting in carting or driving in connexion with the business of a hay, corn, or chaff dealer;
- (c) employed in any business or occupation connected with the preparation of firewood for sale or connected with the sale or distribution of wood, coal, or coke.
- (d) employed handling or distributing brewers' or distillers' grains"—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in November, 1951, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2 (i)

Improvers.			Other Employees.			
WAGES PER WEEK OF 40 HOURS.			WAGES.			
			(a) In Hay, Corn, or Chaff Stores.		Within the cities of Ballarat and Bendigo, and the boroughs of Eaglehawk and Sebastopol.	
			(b) Employed handling or distributing brewers' or distillers' grains.		All other parts of Victoria where this Determination applies.	
—	Percentage of Basic Wage.	s. d.	Foreman, i.e., the man who gives instructions to and is responsible for the work done by not fewer than three adults employed in the store		s. d.	
Under 17 years of age ..	49	97 6	Drivers of motor wagons—		227 0 per week of 40 hrs.	
17 years of age ..	57	113 6	(a) having a capacity of 2 tons or less ..		219 0 " 40 "	
18 " ..	70	139 6	(b) having a capacity exceeding 2 tons, but not exceeding 4 tons ..		225 0 " 40 "	
19 " ..	78	155 0	(c) having a capacity exceeding 4 tons with 1s. per day extra for each trailer		231 0 " 40 "	
20 " ..	85	169 0	Carters driving one horse ..		215 0 " 40 "	
			Carters driving two horses ..		220 0 " 40 "	
			And for every additional horse ..		0 6 extra per day	
			All others ..		217 0 per week of 40 hours	
			Wood Yards, or Wood, Coal, and Coke (Combined) Yards.		220 0 per week of 40 hours	
			Yardman in charge, i.e., the person for the time being entrusted with the control or superintendence of a wood yard or a wood and coal yard (combined), notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of the same yard ..		217 0 per week of 40 hours	
			Drivers of motor wagons—		222 0 " 40 "	
			(a) having a capacity of 2 tons or less ..		219 0 " 40 "	
			(b) having a capacity exceeding 2 tons, but not exceeding 4 tons ..		225 0 " 40 "	
			(c) having a capacity exceeding 4 tons, with 1s. per day extra for each trailer		231 0 " 40 "	
			Carters driving one horse ..		215 0 " 40 "	
			Carters driving two horses ..		220 0 " 40 "	
			And for every additional horse ..		0 6 extra per day	
			All others ..		215 0 per week of 40 hours	
			Coal Yards (i.e., Places where at least 80 per cent. of the Business is done in Coal) or Coke Yards.		222 0 per week of 40 hours	
			Drivers of motor wagons—		228 0 " 40 "	
			(a) having a capacity of 2 tons or less ..		219 0 " 40 "	
			(b) having a capacity exceeding 2 tons, but not exceeding 4 tons ..		225 0 " 40 "	
			(c) having a capacity exceeding 4 tons, with 1s. per day extra for each trailer		231 0 " 40 "	
			Carters driving one horse ..		215 0 " 40 "	
			Carters driving two horses ..		220 0 " 40 "	
			And for every additional horse ..		0 6 extra per day	
			All others ..		228 0 per week of 40 hours	
			Firewood Saw Mills (i.e., Places where Mechanical Power is used to saw Firewood). Benchmen ..		224 0 per week of 40 hours	
			Drivers of motor wagons—		222 0 " 40 "	
			(a) having a capacity of 2 tons or less ..		219 0 " 40 "	
			(b) having a capacity exceeding 2 tons, but not exceeding 4 tons ..		225 0 " 40 "	
			(c) having a capacity exceeding 4 tons, with 1s. per day extra for each trailer		231 0 " 40 "	
			Carters driving one horse ..		215 0 " 40 "	
			Carters driving two horses ..		220 0 " 40 "	
			And for every additional horse ..		0 6 extra per day	
			All others ..		217 0 per week of 40 hours	

(ii) EXTRA RATES.		per week.
Further additional amount for a person employed handling or distributing brewers' or distillers' grains		s. d.
Further additional amount for a person employed handling or distributing brewers' or distillers' grains in lieu of employer providing working trousers and footwear		3 0
Further additional amount for an employee driver who is required in any week to collect moneys and account for them as part of his duties		3 0
		2 0

3.

ALLOWANCES.

- (i) To the amounts otherwise prescribed in this Determination shall be added the following:—
- (a) Driver of a motor vehicle fitted with a charcoal gas producer unit—for each day or portion thereof upon which he is called upon to drive such vehicle 1s. per day
- (b) Cleaner of gas producer unit (who is not a driver) for each day or part thereof upon which he is called upon to clean such unit An extra 1s.
- (ii) Suitable overalls and gloves shall be provided by the employer for any employee mentioned in sub-clause (i) hereof.
- (iii) The employer shall provide suitable washing conveniences for any employee mentioned in sub-clause (i) hereof, together with hot water or some other efficient cleansing material.

See also Clauses 2 (ii) and 3.

TRAVELLING TIME.

4. Any employee employed on a milling plant who is directed during the day to work on that day at a location other than his usual place of employment, shall be paid for the time so occupied in travelling from and to such place and all fares necessarily incurred.

PROHIBITION OF EMPLOYMENT.

5. The Board determines that no person shall be employed as an apprentice.

6. TIMES OF BEGINNING AND ENDING WORK.

Time of Beginning.		Time of Ending.
7.30 a.m.	-- --	12 noon the day the half-holiday is usually observed.
7.30 a.m.	-- --	5.15 p.m. five days in the week.

7. OVERTIME.

Between midnight and 7.30 a.m.	Double time.
At any other time outside the times of beginning and ending work as herein fixed	-- --	Time and a half.
Within the times of beginning and ending work in excess of the number of hours fixed in this Determination as a week's work	Time and a half.

Provided that any employee who has completed a week's work and is required to work overtime on a Saturday shall be paid for a minimum of four hours' work at penalty rates.

HOLIDAYS AND SUNDAY WORK.

8. Employees shall be entitled to absent themselves from work without loss of pay on the under-mentioned public holidays, viz.:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Fuel and Fodder Trades' Annual Holiday, King's Birthday, 13th November, 1951, Melbourne Cup Day (with the Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder), Christmas Day, and Boxing Day. Work done on Sundays or on any of the specified public holidays shall be paid for as follows:—

(a) On Sundays—

(i) Time occupied in attending to horses, or in the essential conveyance of fodder for stock	Time and a half;
(ii) All other work	Double time.

(b) On any of the specified public holidays—

(i) Time occupied in attending to horses, or in the essential conveyance of fodder for stock	Time and a half;
(ii) All other work	Double time.

If any other day be substituted by Act of Parliament or Proclamation for any of the above-mentioned holidays, the special rate prescribed shall be payable only for work done on the day so substituted.

TIME WAGES.

9. Any person employed in a factory or shop on time wages for less than the number of hours fixed for an ordinary week's work shall be paid for time worked up to 20 hours as follows:—

(a) in any week in which two or more public holidays occur	At the ordinary wages rate with an addition of fifty per centum.
(b) in any other week	At the ordinary wages rate, with an addition of thirty-three and one-third per centum.

For time worked beyond the 20 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

CASUAL LABOUR.

10. Casual hands, i.e., persons who are employed other than in a factory or shop during any week for not more than one-half of the maximum number of hours fixed in this Determination as a week's work shall be paid at the rate of time and a third.

ANNUAL HOLIDAY.

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

SICK LEAVE.

12. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) During the first year— $3\frac{1}{2}$ hours' ordinary pay for each complete month of service.
- (ii) During any subsequent year of service—40 hours' ordinary pay.

Provided that, in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st November, 1949, shall be disregarded provided that any accumulated sick leave, not exceeding 80 hours of working time, standing to the credit of the employee on the 1st November, 1951, shall not be reduced by virtue of the provisions of this sub-clause.

No employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

TERMINATION OF EMPLOYMENT.

13. Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

PAYMENT OF WAGES.

14. Wages shall be paid not later than Thursday in each week.

PIECE-WORK.

15. The lowest piece-work prices payable to any persons for doing work of a description referred to in the following Schedule shall be—

Cutting Wood.

4-ft. or over—one cut.. .. per ton .. 3s. 5d.

Splitting Wood.

Box, redgum, or ironbark per ton (40 cubic feet).. 4s. 5d.
 Box, redgum, or ironbark " (by weight).. 6s. 0d.
 Culled box, redgum, ironbark " .. 8s. 1d.
 Blocks (box, redgum, or ironbark) per truck (Standard I.) 41s. 6d.
 1-ft. blocks, common wood per ton (40 cubic feet).. 3s. 8d.
 2-ft. blocks, common wood " .. 3s. 1d.
 1-ft. blocks, common wood per truck (Standard I.) 29s. 11d.
 2-ft. blocks, common wood " .. 28s. 4d.
 Mallee roots per ton (by weight) .. 6s. 3d.

NOTE.—To the weekly earnings of each piecworker the sum of 91s. shall be added, provided that where less than 40 hours are worked in any week, a proportionate amount shall be added in lieu of such sum.

PERIODICAL ADJUSTMENT OF WAGES RATES AND PIECE-WORKERS' EARNINGS.

16. The wages rates set out in clause 2 (i) are based upon the following basic wage and pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates and the weekly earnings of piece-workers shall be automatically adjusted as prescribed by clause 17.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	9 19 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

17. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1952, the amount of the Basic Wage shall be as prescribed in clause 16.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the 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 1.03 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 wages of improvers shall be the appropriate percentages as set out in clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. V. WILLOX, Secretary,

Melbourne, 22nd October, 1951.