



VICTORIA GOVERNMENT GAZETTE.

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[1951

Factories and Shops Acts.

DETERMINATION OF THE EXCAVATION OR ROADWORK BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 16th day of October, 1939, has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the jurisdiction of the Sewer Builders Board) employed—

- (1) at excavation or earth work in connexion with—
 - (a) the building of wharfs, piers, jetties, or docks;
 - (b) the formation of street channels or drains;
 - (c) the diversion of streams or rivers;
- (2) at the construction or maintenance of streets, footpaths, or roads, and any work incidental thereto;
- (3) at concrete work in connexion with or incidental to—
 - (a) the construction of street channels or drains;
 - (b) the diversion of streams or rivers;
- (4) at the construction of storm-water drains (other than main storm-water drains) and any work incidental thereto;
- (5) at asphaltting or tar-paving (except where such work is subject to the jurisdiction of the Builders Labourers Board);
- (6) in connexion with a gravel pit at labouring work, excavating, handling, or removing gravel for trade or sale of excavating, handling or removing gravel for the construction or maintenance of roads, but not including persons subject to the jurisdiction of the Carters and Drivers Board, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in December, 1950, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

IMPROVERS.

	Wages.	Proportion (by any Employer).
	Per Hour.	
	s. d.	IMPROVERS.
Under 18 years of age	3 0	One improver to every twenty or fraction of twenty workers receiving not less than the rate fixed in this Determination for "All others".
18 years of age and under 20	3 7	
20 years of age and under 21	Appropriate adult rate	

NOTE.—The Wages Board has determined, in accordance with section 25 (1) of the amended *Factories and Shops Act 1934*, that the trade is so unskilful that no person should be taken as an apprentice to the trade.

OTHER EMPLOYEES.

										Wages.
										Per Hour.
										s. d.
Man operating power rammer	5 3
Pitcher setter, cube setter, or pavior .. .. .	..	..	..	..	..	..	..	..	..
Weigher and/or mixer on hot asphaltic mixing plant .. .. .	..	..	..	..	..	..	..	..	..
Rigger	5 3
Splicer of Wire Rope or Hemp Rope .. .. .	..	..	..	..	..	..	..	..	..
Bitumen pourer or kettle attendant .. .. .	..	..	..	..	..	..	..	..	..
Tunnel man or shaft sinker	5 3
Timber man in tunnel or shaft .. .. .	..	..	..	..	..	..	..	..	..
Pipe joiner, or pipe layer .. .. .	..	..	..	..	..	..	..	..	..
Powder monkey	5 2
Sinker in trenches for storm-water drain .. .. .	..	..	..	..	..	..	..	..	..
Finisher in concrete work .. .. .	..	..	..	..	..	..	..	..	..
Leading tackle hand	5 2
Skid scoop (tumbling Tommy), filler, and/or driver .. .. .	..	..	..	..	..	..	..	..	..
Guard :—i.e., an employee in charge of a train or rake of trucks or railway wagons, drawn or propelled by steam, electric or other motor power, used in connexion with the haulage of ballast (sand, gravel or broken stone), rock, earth or other material used in connexion with construction work .. .. .	..	..	..	..	..	..	..	..	..
Attendant on steam or power-driven navvy or crane :—i.e., an employee lifting and laying down tracks or doing other work incidental thereto or attendant at chute	5 1
Jack hammerman .. .. .	..	..	..	..	..	..	..	..	..
Mixer, gauger spreading or layer on of concrete .. .. .	..	..	..	..	..	..	..	..	..
Tar, bitumen or emulsion sprayer operator	5 1
Faceman in gravel pit .. .. .	..	..	..	..	..	..	..	..	..
Tramline layer or repairer :—i.e., an employee engaged in laying or maintaining a tram track or locomotive track .. .. .	..	..	..	..	..	..	..	..	..
Bitumen or asphaltic worker :—i.e., an employee (other than a bitumen pourer or kettle attendant) heating, preparing, cutting, carrying, laying, using on woodwork or handling asphalt, bitumen, tar or emulsion or material coated with asphalt, bitumen, tar or emulsion	5 1
Batterman using batter rule .. .. .	..	..	..	..	..	..	..	..	..
Boodler in tunnel .. .. .	..	..	..	..	..	..	..	..	..
Fencer	5 1
Sanitary or garbage attendant .. .. .	..	..	..	..	..	..	..	..	..
Scabler in tunnel .. .. .	..	..	..	..	..	..	..	..	..
Metal or gravel spreader	5 1
Spaller, ploughman, manhole builder's labourer, and Telford pitcher setter .. .. .	..	..	..	..	..	..	..	..	..
Filler of monkey-tail scoop .. .. .	..	..	..	..	..	..	..	..	..
Setter out of reinforcements	5 0
Points man on tram or locomotive line .. .. .	..	..	..	..	..	..	..	..	..
Tipman :—i.e., an employee at the tiphead who directs where the material shall be tipped or assists in the tipping or keeps bank or dump true to specified line and level .. .. .	..	..	..	..	..	..	..	..	..
Cold asphaltic shoveller or forker	5 0
Ploughman's offsider .. .. .	..	..	..	..	..	..	..	..	..
Tipper of monkey-tail scoop .. .. .	..	..	..	..	..	..	..	..	..
Slurry filler	5 6
Driver, bulldozer, power shovel, excavator, front end or back end loader on tracks .. .. .	..	..	..	..	..	..	..	..	..
Driver power grader 35-h.p. or over .. .. .	..	..	..	..	..	..	..	..	..
Driver power grader under 35-h.p.	5 3
Driver side loader	5 1
Driver tractor (oil) 35-h.p. and over	5 3
Driver tractor (oil) under 35-h.p.	5 0
Driver of traction engine or road roller (steam)	5 6
Driver road roller (internal combustion)	5 5
All others	4 11

HOURS.

3. The hours of work shall be 40 for each week.

SHIFTS.

4. (a) That the hour of beginning and the hour of ending each shift shall be as follows :—

										Time of Beginning.	Time of Ending.
										Where one shift is worked—	
										7.30 a.m.	noon
										1 p.m.	5 p.m.
										Where two or three shifts are worked—	
										7 a.m.	3 p.m.
										3 p.m.	11 p.m.
										11 p.m.	7 a.m.

Any of the above times may be varied by mutual agreement between the employer and the employees concerned.

(b) Employees working Afternoon or Night Shift shall be paid 2s. per shift extra. Provided that where the shifts are not changed weekly, employees working Afternoon or Night Shift shall be paid 3s. 6d. per shift extra instead of 2s.

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

TRAVELLING ALLOWANCE.

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

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

Outside a radius of 30 miles of the said G.P.O., when a man is required to travel to work a distance of from two to five miles from his place of residence he shall be paid an allowance of 1s. per day, and if such distance is in excess of five miles the allowance payable shall be 2s. per day.

OVERTIME.

6. All work done in excess of the ordinary daily hours of work shall be paid for at one and a half times the ordinary prescribed rate for the first four hours and at double the ordinary prescribed rate for the time thereafter worked.

Provided that horse drivers shall be entitled to payment at ordinary rates only for time spent in taking charge of teams at the yard, camp, or stable, or in taking teams therefrom or returning teams thereto.

MIXED FUNCTIONS.

7. (a) Where an employee is required to do, and does, on any one day for a time exceeding two hours in the aggregate, work for which a higher rate is prescribed than for other work done by him on that day, he shall be paid at not less than such higher rate for all work done by him on that day.

(b) In all other cases where an employee does more than one class of work he shall be paid for each class proportionately to the time he works thereat.

SPECIAL RATES.

8. (a) If an employee is required to work on a holiday or on a Sunday, he shall be paid for such work double the ordinary prescribed rate.

(b) If an employee desires to work on a holiday, and with the consent of the employer does so work, he shall be paid therefor at the ordinary rate.

(c) "Holiday" shall mean any of the following days:—New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day and Boxing Day. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

WET PAY.

9. An employee who is required to work in a wet place and who is not provided by the employer with gum boots or oilskins, or both, which will prevent him from getting wet, shall be paid two shillings extra for each day on which he performs any work in such wet place.

A place shall be deemed to be wet when water other than rain is dropping continually from overhead so as to saturate the clothing of the employee if unprotected, or when the water in the place where the employee is standing is over 2 inches deep.

EMPLOYEE RECALLED TO WORK.

10. An employee who is recalled to work after the expiration of his customary working time for the day, and after he has left work for the day, shall be paid at the least as for working two hours at overtime rates.

EMPLOYEE NOT REQUIRED ON NEXT SHIFT.

11. Any employee who is not informed before he leaves the job at the end of his shift that he is not required to work at his next shift, and who is not put to work at the next shift, although he attends, shall be paid in full wages for half that shift not worked, except when such unemployment is due to circumstances beyond the control of the employer. This clause shall apply only where more than one shift is being worked.

PAYMENT OF WAGES.

12. Employees shall be paid their wages in working hours, and if not so paid shall be entitled to be paid at the "All others" rate for the time they have to wait for payment, provided that, if because of circumstances beyond the reasonable control of the employer, he cannot so pay the wages, he shall only be bound to pay them at the earliest time reasonable in the circumstances.

TIME RECORD.

13. (a) The employer shall keep a record of the names of the employees of such employer and in respect of each such employee a record from week to week of the periods, times and class of work done and the rates of wages and amounts of wage paid, and shall obtain from week to week the signature of such employee to such record.

(b) The Secretary or Branch Secretary of the Australian Workers' Union or of the Municipal and Shire Council Employees Union or an official of either such Union authorized in writing to that effect by the Secretary or Branch Secretary shall be allowed on any day coming two days after a pay day between 10 a.m. and noon, or at such other time as may be agreed upon, to inspect such records so far as may be reasonably necessary to obtain information.

CRIB TIME.

14. Where two or more shifts are worked, twenty minutes shall be allowed during each shift for "crib time", without deduction from wages.

MAXIMUM OVERTIME PERIOD BETWEEN MEALS.

15. When overtime is worked by an employee, or any work is performed by an employee on a Sunday, not more than four hours shall be worked without a break for a meal.

REST PERIOD AFTER OVERTIME DUTY.

16. When an employee has been on duty so long as not to have had eight hours at least for rest before his next proper or usual starting time, he shall be entitled to be absent until he has had eight hours off duty.

WATER FOR ROCK DRILLING BY MACHINE.

17. In places where rock-drilling machines are used in tunnels or in shafts over 10 feet deep, the employer shall, where practicable, provide, and the employee shall use, water when drilling rocks by machines. In other rock-drilling places, where practicable and reasonable, water shall be provided and used.

CLOGS.

18. Rakers and shovellers of asphaltic concrete shall be provided, by the employer, with clogs.

VENTILATION.

19. The employer shall install, where necessary, appliances for proper and adequate ventilation of shafts and tunnels.

WATER.

20. Sufficient water for each gang shall be provided by the employer free of charge.

SANITATION.

21. At all places, where the pan system is not in use, the employer shall install fly-proof sanitary conveniences and provide attention thereto. In shifting camps, practicable and reasonable temporary provision shall be made by the employer.

CHANGING HOUSE.

22. Where required, the employer shall provide on each job a sufficiently roomy enclosed and roofed structure to enable employees to change their clothing.

DRYING SHEDS.

23. The employer shall provide adequate conveniences for employees to dry their working clothes.

FIRST-AID OUTFIT AND STRETCHER.

24. The employer shall provide at every job a sufficient first-aid box and a stretcher for the use of sick or injured employees, and shall keep the same always in proper order.

POWDER-MONKEY'S WORK.

25. Where explosives are used, the work of a powder-monkey shall be done only by a man competent for that work.

TOOLS.

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

PAY DAY.

27. Payment of wages due under this Determination shall be made on any day other than Saturday.

ADDITIONAL PROVISIONS APPLICABLE ONLY TO WORK DONE OUTSIDE THE METROPOLITAN DISTRICT AS DEFINED IN THE "FACTORIES AND SHOPS ACTS" AND THE ORDERS IN COUNCIL THEREUNDER.

ERECTING AND SHIFTING CAMP.

28. Employees shall be paid at their respective ordinary rates for all time occupied by them during their ordinary hours of duty in erecting or shifting camp and in removing plant and equipment. For such work performed outside the ordinary hours of duty employees shall be paid at overtime rates.

TRAVELLING TIME.

29. (a) Where the employee has to travel between the yard, camp, depot or picking-up place of the employer and his work, and the distance to be travelled is in excess of one mile, he shall be paid for each mile of such excess distance at the rate of one-third of the hourly rate provided for "All others".

- (b) Where the employee is conveyed between the said yard, camp, depot or picking-up place of work, for all time in excess of twenty minutes each way spent in such conveying he shall be paid at the rate fixed for "All others".

CAMP ALLOWANCE.

30. (a) Employees who in order to be available for their work have to live in a camp established by either employers or employees for the purpose of enabling employees to be so available by living therein shall be paid a camping allowance of 4s. for each day on which they are required to hold themselves, and do hold themselves available in the camp throughout the said day to serve the employer's purposes on that or any other day, whether or not work is done on the said day. Provided however, that the total amount payable under this clause shall not exceed 20s. per week.

- (b) An employer who at his own cost provides the employees with a proper mess room and cooks the employees' food free of charge shall make a camping allowance of 2s. per working day provided, however, that the total amount payable under this provision shall not exceed 10s. per week.

FARES.

31. (a) The fares of an employee proceeding for the first time to work from the place of engagement shall be paid by the employer who may deduct the amount thereof from his first or later wages.

- Provided that the amount so deducted shall be refunded to the employee if he continue to work for the employer for at least two months, or, if the work cease sooner, for so long as the work continues.

- (b) If an employee continue to work for an employer for at least two months, the employer shall, when the work ceases, pay the fare of the employee back from the place of work to the place of engagement, if the employee so desires.

USE OF TENTS AND CUBICLES.

32. When employees have to camp out to be near their work, tents and tent poles or cubicles shall be provided by the employer free of charge.

STRETCHERS.

33. The employer shall supply, free of charge, material for stretchers.

WOOD AND WATER.

34. The employer shall provide at the camp a reasonable quantity of wood and water for all employees living in or about the camp.

MESS ROOM.

35. The employer shall, if required by the majority of the employees, provide a mess room in a fixed camp containing twenty or more men where the camp is likely to continue for at least six months.

FIRST-AID.

36. The employer shall employ a man with first-aid qualification on all works employing 100 or more men and a person with first-aid knowledge in other circumstances reasonably requiring the same.

ACCOMPANYING INJURED OR SICK EMPLOYEES.

37. No. employee suffering from illness or injury sustained on the job shall be permitted to leave the job unless accompanied or assisted by a sufficient number of employees, except in the case of his removal by ambulance to his home or a hospital. All expenses incurred in such patient's removal shall be paid by the employer.

RETURN OF TOOLS AND TENTS.

38. If the employer requires an employee, when discharged or leaving, to take down tents or return tools or tents, he shall pay the employee for the time so occupied at the rate fixed for "All others".

ANNUAL HOLIDAY.

39. 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.

PERIODICAL ADJUSTMENT OF WAGES.

40. The wages rates for adults set out in clause 2 are based upon the following basic wage and original rates as shown in Table "A" 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 41. Provided that the wages of other employees shall be adjusted proportionately to adjustments of the basic wage. Such adjustments are to be to the nearest penny half or less than half of one penny to be disregarded.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	8 2 0	Melbourne

Table "A."
(Based on Basic Wage of 162s.)

IMPROVERS.

	Wages. Per Hour. s. d.
Under 18 years of age	3 0
18 years of age and under 20	3 7
20 years of age and under 21	Appropriate adult rate.

OTHER EMPLOYEES.

	* Wages. Per Hour.	Weekly Marginal Equivalent.	Special Loading.
	s. d.	£ s. d.	s. d.
Man operating power rammer	5 3	2 4 10	3 0
Pitcher setter, cube setter, or pavior			
Weigher and/or mixer on hot asphaltic mixing plant			
Rigger			
Sheer of Wire Rope or Hemp Rope	5 3	2 3 0	3 0
Bitumen pourer or kettle attendant			
Tunnel man or shaft sinker			
Timber man in tunnel or shaft			
Pipe joiner, or pipe layer	5 2	1 19 4	3 0
Powder monkey			
Sinker in trenches for storm-water drain			
Finisher in concrete work			
Leading tackle hand	5 1	1 17 6	3 0
Skid scoop (tumbling Tommy), filler, and/or driver			
Guard :—i.e., an employee in charge of a train or rake of trucks or railway wagons, drawn or propelled by steam, electric or other motor power, used in connexion with the haulage of ballast (sand, gravel or broken stone), rock, earth or other material used in connexion with construction work			
Attendant on steam or power-driven navy or crane :—i.e., an employee lifting and laying down tracks or doing other work incidental thereto or attendant at chute			
Jack hammerman	5 0	1 15 8	3 0
Mixer, gauger, spreading or layer on of concrete			
Tar, bitumen or emulsion sprayer operator			
Faceman in gravel pit			
Tramline layer or repairer :—i.e., an employee engaged in laying or maintaining a tram track or locomotive track	5 6	2 15 8	3 0
Bitumen or asphaltic worker :—i.e., an employee (other than a bitumen pourer or kettle attendant) heating, preparing, cutting, carrying, laying, using on woodwork or handling asphalt, bitumen, tar emulsion or material coated with asphalt, bitumen, tar or emulsion			
Batterman using batter rule			
Boodler in tunnel			
Fencer	5 3	2 3 8	3 0
Sanitary or garbage attendant			
Scabber in tunnel			
Metal or gravel spreader			
Spaller, ploughman, manhole builder's labourer, and Telford pitcher setter	5 1	1 18 8	3 0
Filler of monkey-tail scoop			
Setter out of reinforcements			
Points man on tram or locomotive line			
Tipman :—i.e., an employee at the tiphead who directs where the material shall be tipped or assists in the tipping or keeps bank or dump true to specified line and level	5 0	1 14 8	3 0
Cold asphaltic shoveller or forker			
Ploughman's offsider			
Tipper of monkey-tail scoop			
Slurry filler	5 3	2 3 8	3 0
Driver, bulldozer, power shovel, excavator, front end or back end loader on tracks			
Driver power grader 35-h.p. or over			
Driver power grader under 35-h.p.			
Driver side loader	5 1	1 18 8	3 0
Driver tractor (oil) 35-h.p. and over			
Driver tractor (oil) under 35-h.p.			
Driver of traction engine or road roller (steam)			
Driver road roller (internal combustion)	5 5	2 11 8	3 0
All others			
	4 11	1 12 0	3 0

* The hourly rates shown herein were obtained by adding the appropriate marginal equivalents and special loadings to the basic wage and dividing by 40. An extension of this system is to be followed for future adjustments.

ADJUSTMENT OF BASIC WAGE.

41. (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, 1951, the amount of the basic wage shall be as prescribed in clause 40.

(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 $\cdot 103$ 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 $\cdot 5$ or more the basic wage shall be taken to the next higher shilling.

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

J. W. RYAN, Secretary.

Melbourne, 15th November, 1950.