



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 749]

FRIDAY, AUGUST 3.

[1951

Factories and Shops Acts.

DETERMINATION OF THE ROOFING TILES BOARD.

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

(ii) The Pottery Board previously covered these employees, but by Orders in Council dated the 11th June, 1946, and the 26th November, 1946, it was deprived of such powers, and some were conferred upon the Roofing Tiles 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, employed in—

(i) the process, trade, or business of making roofing tiles (other than roofing tiles made of cement), and all accessories for such roofing tiles; air vents, chimney pots, agricultural pipes, terra cotta lumber, and flower pots;

(ii) the digging of clay incidental to the manufacture of the above-mentioned articles”.

has made the following Determination namely:—

1. That as from the 1st June, 1951, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. (a)

(1) APPRENTICES OR IMPROVERS.

MALES.

Wages per Week of 40 hours.

	Employed in Clayholes Exceeding 25 ft. in Depth.	Employed in All Other Places.				Total Wage.
		Percentage of Basic Wage.	Adjustable Rate.	Emergency Loading (Non-adjustable).	Special Loading (Non-adjustable).	
			s. d.	s. d.	s. d.	s. d.
Under 15 years of age ..	At the Rates prescribed for Adults	24	42 6	1 3	2 3	46 0
15 years of age ..		28	49 6	1 6	2 9	53 9
16 years of age ..		32	56 6	1 6	3 3	61 3
17 years of age ..		38	67 6	1 9	3 9	73 0
18 years of age ..		52	92 0	2 6	5 0	99 6
19 years of age ..		61	108 0	3 0	6 0	117 0
20 years of age ..		75	132 6	3 9	7 3	143 6

FEMALES.

Wages per Week of 40 hours.

	Percentage of Female Basic Wage.	Adjustable Rate.	Emergency Loading (Non-adjustable).	Special Loading (Non-adjustable).	Total Wage.
		s. d.	s. d.	s. d.	s. d.
Under 15 years of age ..	32	42 6	1 3	2 3	46 0
15 years of age ..	37	49 0	1 8	2 9	53 0
16 years of age ..	42	55 6	1 6	3 0	60 0
17 years of age ..	45	59 6	1 9	3 3	64 6
18 years of age ..	51	67 6	1 9	3 9	73 0
19 years of age ..	58	77 0	2 0	4 3	83 3
20 years of age ..	64	85 0	2 3	4 9	92 0

(b) Notwithstanding anything contained in the schedules of rates prescribed in sub-clause (a) hereof, any junior feeding or taking off a tile press shall be paid not less than 75 per cent. of the appropriate adult rate calculated to the nearest 6d.

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Proportion (in any factory or place).

Apprentices.

- (c) One male apprentice to every three or fraction of three male workers receiving not less than the minimum wage.
One female apprentice to every three or fraction of three female workers receiving not less than the minimum wage.

Improvers.

Such number of male improvers as shall not, together with apprentices, exceed in the aggregate, two to every four, or fraction of four male adult weekly workers receiving not less than the minimum wage.

Such number of female improvers as shall not, together with apprentices, exceed in the aggregate, two to every five, or fraction of five female adult weekly workers receiving not less than the minimum wage.

(II) ALL OTHER EMPLOYEES.

MALES.

Wages Per Week of 40 Hours.

	s.	d.
Burner	205	0
Burner's Assistant .. .	201	0
Damperman and/or kiln cleaner .. .	198	0
Clayhole man working underground in shaft and/or tunnel (Employer to provide tools) .. .	210	0
Faceman or man drilling or using explosives in quarry of face 25 feet or less .. .	212	0
All other facemen .. .	214	0
All other clayhole men including men digging and/or wheeling raw lump clay (Employer to provide tools) .. .	204	0
Drawer .. .	204	0
Setter .. .	208	0
Mouldmaker (including plaster die making) .. .	208	0
Flower pot, or flower pot saucer throwers .. .	208	0
Maker on press (screw or lever type) .. .	204	0
Hand presser and moulder .. .	208	0
Crusher or grinding pan attendant .. .	204	0
Loftman .. .	201	0
Man sorting roofing tiles .. .	201	0
Packer into rail trucks .. .	201	0
Man feeding and/or taking off tile press .. .	204	0
Tile feeder's assistant .. .	198	0
Man carrying or wheeling into or out of kiln or to or away from kiln .. .	201	0
Racker or wheeler who also racks .. .	201	0
Other tile wheeler .. .	198	0
Dresser or trimmer (dry tiles) .. .	198	0
Waste-man or other unskilled man .. .	198	0
Man in charge of pug and/or mixer machine (i.e., pug and/or mixer machine attendant and/or rigger) .. .	208	0
Wire cut attendant, column man, and/or off bearer from a wire cut machine .. .	201	0
Yardman order officer (i.e., an employee who attends clients and arranges deliveries for them in accordance with their selection) .. .	204	0

FEMALES.

The wage rate for an adult female shall be 75 per cent. of the appropriate male rate for the class of work done.

TIME OF BEGINNING AND ENDING WORK.

3. For all persons except burners and other shift-workers :—

Time of Beginning.	Time of Ending.
7.15 a.m. ..	noon on Saturday or the day on which the half holiday is locally observed.
7.15 a.m. ..	5 p.m. on the other five working days of the week.

EMERGENCY PROVISIONS.

The provisions of this clause shall have no effect after the 30th September, 1951.

3A. (a) Notwithstanding anything elsewhere contained in this Determination, the following provisions shall apply in the case of an employer who is subject to restriction or rationing in the use of electric energy and/or coal gas and/or the emergency disconnection thereof in accordance with orders or regulations approved by the appropriate lawful authority.

- (i) If by reason of such restriction or emergency disconnection he is unable usefully to employ an employee for the whole or part of any day or shift, he may deduct from the wages of that employee payment for any part of the day or shift such employee cannot be usefully employed provided that—

- (1) if an employer requires the employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours' work;
- (2) where an employee commences work he shall be entitled to be paid for four hours' work;
- (3) this sub-clause shall not apply to apprentices.

- (ii) He may require any day worker to perform his ordinary hours of work (or any such ordinary hours of work) at any time on any day other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work—

- (1) for work performed on Mondays to Fridays from 7 a.m. to 5.30 p.m. and on Saturdays from 7 a.m. to noon—ordinary time;
- (2) for work performed between noon and 5.30 p.m. on Saturdays—ordinary rates plus 25 per cent.;
- (3) for work performed at all other times other than on a Sunday—ordinary rates plus 10 per cent.

Provided that when a worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary day rates.

- (iii) He may require any shift worker to perform his hours of work at any time other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work :—

- (1) for day work or day shift work—ordinary time;
- (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.;
- (3) for afternoon and night shifts—ordinary rates plus 10 per cent.

Provided that when a shift worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary rates.

- (4) Nothing contained in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers on afternoon and night only at the date of such interference as aforesaid and who continue to work on such shifts.

- (iv) He may alter the time at which meal breaks are usually taken and/or the duration of them, in order to avoid or mitigate the effects of such interference, without being liable to pay penalty rates for work done during the normal meal breaks; provided that the commencing time of any meal break is not made more than one hour earlier or later than usual and that a meal break of at least twenty minutes is allowed; and provided also that the employer shall, whenever it is practicable, consult with the representative of the Union or Unions before acting under this paragraph.

(b) Notwithstanding anything elsewhere contained in this Determination, the provisions of this clause shall also apply (*mutatis mutandis*) in the case of an employer who uses auxiliary power plant for the purposes of providing employment for his employees whilst such restriction or emergency disconnection is in force and who—

- (i) is unable usefully to employ an employee for the whole of any day or shift by reason of a breakdown in such plant through no fault of his own; or
- (ii) because of the inability of the auxiliary power plant to meet the normal demands for powers—
 - (1) finds it necessary to require any employee to perform his ordinary hours of work (or any of such ordinary hours of work) outside the hours normally worked by such employee; or
 - (2) finds it necessary to alter the time at which meal breaks are usually taken and/or the duration of them.

OVERTIME.

4. (a) By persons employed as burners in excess of 8 hours on any one shift and 40 hours in any one week Time and a half.

*(b) By any other person :—

- (i) Within the hours fixed as the time of beginning and ending work in excess of the maximum number of hours fixed as a week's work Time and a half.
- (ii) Outside the hours fixed as the time of beginning and ending work Time and a half.

For the purpose of calculating overtime in placitum (b) (i) all overtime shall be on a weekly basis, and time lost because of :—

- (i) sick leave prescribed in clause 11 hereof.
- (ii) any of the holidays prescribed in clause 9 hereof,
- (iii) absence, for any reason, with the approval of the employer, or
- (iv) being stood down by the employer for any reason other than misconduct.

shall be regarded as having been worked.

* Provided that where a burner is required within eight hours of commencing or finishing a shift as a burner to do any work for which a rate other than that prescribed for a burner is fixed, he shall be paid for such shift work as a burner and for such other work as follows :—(i) For the first eight hours worked, whether at burning or such other work, ordinary pro-rata payment according to the class of work done; (ii) For the hours worked in excess of the first eight hours referred to in (i) hereof whether at burning or otherwise, payment for such excess at the overtime rate prescribed for such work.

A burner shall be paid for the full number of hours of the shift worked.

EXTRA RATES FOR SHIFT WORKERS (INCLUDING BURNERS).

5. An addition of ten per cent. to the ordinary rates prescribed in clause 2 hereof for the occupation concerned shall be payable to shift workers for any work, including overtime, performed by them between 6 p.m. and 6 a.m.; and any extra payment, as prescribed in clause 4 hereof, for overtime performed by such workers between the said hours, shall be calculated on the aforesaid ordinary rates.

ALLOWANCES.

6. (a) Any burner or burner's assistant using coal or mixed fuel, not including oil, gas, or briquettes solely, shall be paid an allowance of 5s. per week. Such allowance shall not be taken into account in computing overtime, or the extra rates for shift workers prescribed in clause 5 hereof.

(b) Burners, drawers, wheelers from kiln, clayhole men, and damper men shall receive an allowance of 3d. per day or part thereof for wear and tear of boots.

SPECIAL RATES.

7. Double time shall be the rate payable to all employees for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, 13th November, 1951, Christmas Day, and Boxing Day, but 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 for work done only on the day so substituted.

HOLIDAYS.

8. (a) All employees shall be entitled to the holidays hereinafter mentioned without deduction of pay :—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, 13th November, 1951, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this condition shall apply only to the day so substituted.

Provided that an employee shall not be entitled to pay for any of the above holidays if absent from employment without leave on the working day immediately preceding and/or following a holiday or group of holidays unless he or she produces to the employer a certificate of a legally qualified medical practitioner, or failing the production of such certificate, such other evidence as shall be satisfactory to the employer.

TERMINATING EMPLOYMENT IN RELATION TO A HOLIDAY.

- (b) Where the employer terminates the employment of an employee within fourteen days of a day on which a holiday occurs, and such employee is re-employed by the same employer within a period of fourteen days after such holiday, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the same employer for a period of at least one month immediately prior to the termination of employment.

MIXED FUNCTIONS.

9. On any day or shift any employee (other than a burner) required to perform work of a higher grade, shall be paid, whilst so employed, the wages attaching to such higher grade, provided that in the case of any such employee being required to perform the work of a higher grade for more than one half the number of hours fixed for a week's work he shall be paid at the higher rate for the whole of the week. In the case of any employee being required to perform the work of a lower grade than that to which he is classed, he shall not suffer any reduction of pay by reason only of his working temporarily out of his grade. Such work shall not be considered temporary if it continues for more than one week.

ANNUAL HOLIDAY.

10. 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.

11. (a) Where an employee has been in the industry for a period of not less than three months immediately prior to his or her becoming disabled by personal ill health, proof of which sickness is given to the employer by the production of a certificate from a legally qualified Medical Practitioner, statutory declaration, or other satisfactory evidence, within 48 hours of the employee's consequential absence, he or she shall, on account thereof, be entitled without deduction of pay at ordinary rates, to absent himself or herself from work for a period not exceeding in the aggregate four days in any year of employment in the industry.

(b) For the purpose of administering sub-clause (a) hereof an employer may, within two weeks of the employee entering his employment, require such employee to make a sworn declaration or provide other satisfactory evidence as to what paid sick leave of absence he or she has had from any employer within the industry during the previous twelve months.

(c) Notwithstanding anything contained in sub-clause (a) hereof, if the full period of sick leave as prescribed therein 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 up to a period not exceeding twenty days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

(d) For the purpose of administering sub-clause (c) hereof, service prior to the 1st July, 1943, shall be disregarded.

MORNING TEA INTERVAL.

12. A morning tea interval of seven minutes shall be allowed employees each morning during ordinary working hours without deduction of pay, and such interval shall be arranged by the employer so as to avoid the necessity of a stoppage of operations in the establishment.

TEA MONEY.

13. An allowance of 2s. for tea money, shall be made where work extends for more than two hours beyond the usual time of ending work.

Any such allowance shall be made prior to the meal interval on the day on which such overtime is worked.

WET PLACES.

14. An employee who is required to work in water and/or slurry of two inches or more in depth shall be paid an additional 3d. per hour whilst so required to work.

CRIB TIME.

15. A crib time not exceeding 30 minutes in a working shift of 8 hours shall be allowed clay hole men working underground in shaft or tunnel at a depth of 100 feet or over from the surface. Such crib time shall be counted as time worked.

PAYMENT OF WAGES.

16. Except where otherwise mutually agreed between an employer and an employee wages due shall be paid before the usual finishing hour for the day, and not later than Friday in each week.

DIRTY WORK.

17. Where an employee is engaged on work which the employer, or in his absence his accredited representative, agrees is of an unusually dirty or offensive nature, he shall be allowed reasonable time off during working hours to enable him to cleanse himself by means of a shower, or other washing facilities reasonably sufficient to accomplish such purpose.

DEFINITION.

18. Burner's assistant is an employee (exclusive of a regular burner) who works with and assists a burner in the operation of burning a kiln.

PIECEWORK WHICH MAY BE FIXED BY AN EMPLOYER.

19. The Board determines, under the provisions of Section 150 of the *Factories and Shops Act* 1928 (No. 3677), that any employer may fix and pay piecework prices to any person provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages rates that are fixed by the Board for such work.

FIRST-AID ROOM.

20. In any establishment with more than five employees the employer shall provide a cubicle or room for the sole purposes of treating injuries. Such cubicle or room shall be equipped with adequate first-aid facilities, and a stretcher.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act* 1928 requires that a first-aid ambulance-chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles:—

Articles.	Quantities to be Kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolyzed	1 jar
Pieric acid solution, made according to the following recipe or prescription:— 1½ teaspoonfuls of powdered pieric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	An adequate assortment:
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates for adult males set out in clause 2 are based upon the following basic wage, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 22.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Victoria	8 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

22. (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, 1951, the amount of the basic wage shall be as prescribed in clause 25.

(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 basic wage shall be adjusted by the following method, namely, by multiplying last published Commonwealth Statistician's "all items" retail price index number by the factor 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 .5 or more the basic wage shall be taken to the next higher shilling.

(d) The adjustable wages of apprentices or 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.

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

J. W. RYAN, Secretary.

Melbourne, 30th May, 1951.