



# VICTORIA GOVERNMENT GAZETTE.

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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:—

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. \* WAGES.

(a) Apprentices.—PER WEEK.					Improvers.—PER WEEK.				
	Percentage of Basic Wage.	Adjustable Wage.	Loading.	Weekly Rate.		Percentage of Basic Wage.	Weekly Rate.	War Time Loading.	Total Weekly
		s. d.	s. d.	s. d.			s. d.	s. d.	s. d.
1st year ..	29	47 0	2 8	49 8	1st six months ..	23	37 6	1 0	38 6
2nd year ..	38	61 6	5 4	66 10	2nd six months ..	33	53 6	1 6	55 0
3rd year ..	53	86 0	8 0	94 0	2nd year ..	45	78 0	2 0	80 0
4th year ..	76	123 6	10 8	133 8	3rd year ..	77	124 6	3 0	127 6
5th year ..	88	159 0	13 4	172 4	4th year ..	98	159 0	4 0	163 0
					5th year ..	100 plus 14s.	176 0	4 6	180 6

PROPORTION (IN ANY PLACE).

One apprentice to every three bricklayers or fraction thereof receiving not less than the minimum wage of 237s. 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 237 s. 6d. 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."

(b)

Other Employees.

SECTION "A".

This Section 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.

	Per Week.	Per Hour.
	s. d.	s. d.
(1) Foreman bricklayer in charge of three or more employees (see clause 21 hereof)		
(2) Bricklayers employed on sewerage work, drainage work, or underground work such as tunnelling	253 5	6 4
(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	272 6	6 0½
(b) Where the temperature exceeds 120° Fahrenheit	292 6	7 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	272 6	6 0½
(b) Where the temperature exceeds 120° Fahrenheit	292 6	7 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	253 5	6 4
(6) Bricklayers employed on repair work to acid furnaces, acid stills, acid towers, and all other acid-resisting brickwork	292 6	7 3½
(7) Bricklayers laying glass bricks	242 6	6 0½
(8) Bricklayers engaged below ground level (in underpinning the foundation of an adjoining building)	249 10	6 3
(9) All other bricklayers	242 6	6 0½
(10) Persons employed laying or fixing faience or majolica on floors, walls, or ceilings..	242 6	6 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.		

SECTION "B".

This Section applies in respect of the employment of all persons coming within the ambit of the Determination, other than those provided for in Section "A" hereof.

	Per Week.	Per Hour.
	s. d.	s. d.
(1) Foreman bricklayer in charge of three or more employees (see clause 21 hereof)		
(2) Bricklayers employed on sewerage work, drainage work, or underground work such as tunnelling not connected with building construction	248 5	6 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	267 8	6 8½
(b) Where the temperature exceeds 120° Fahrenheit	287 8	7 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	267 8	6 8½
(b) Where the temperature exceeds 120° Fahrenheit	287 8	7 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	248 5	6 2½
(6) Bricklayers employed on repair work to acid furnaces, acid stills, acid towers, and all other acid-resisting brickwork	287 8	7 2½
(7) Bricklayers laying glass bricks	237 6	5 11½
(8) Bricklayers engaged below ground level (in underpinning the foundation of an adjoining building)	244 10	6 1½
(9) All other bricklayers	237 6	5 11½
(10) Persons employed laying or fixing faience or majolica on floors, walls, or ceilings ..	237 6	5 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.		

Notwithstanding anything contained in this Section 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 the appropriate rate or rates prescribed in Section "A" hereof.

NOTE.—The amounts of the differences between the rates prescribed in Section "A" and Section "B" hereof are consequent on the differences in the methods of adjustment as prescribed in clause 26 hereof, due to the rates in the first mentioned Section including a loading for "following the job."

DIRTY WORK.

3. Bricklayers employed at work as described in Sections "A" and "B" of clause 2 (b) hereof, classifications (2), (3), (4), (6), and (8), which is of an unusually dirty nature shall be allowed ten 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, in addition to any other time off elsewhere prescribed in this Determination for other causes.

HOURS.

5. The ordinary hours for a week's work shall be 40 to be worked in five days (Monday to Friday inclusive) of 8 hours each. The ordinary time for the beginning and ending of work shall be between the hours of 7.30 a.m. and 5.30 p.m. A meal break of not less than 42 minutes shall be allowed each day.

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 MEALS.

7. 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 3s. 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.

OVERTIME.

8. Work done outside the ordinary times of beginning and ending work as prescribed in clause 5 hereof, or in excess of eight hours on any day shall be paid for at the rate of time and a half for the first two hours and double time thereafter until the completion of such period of continuous work.

ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

9. (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 10 (a) hereof 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.

10. (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 9 (a) hereof 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.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

11. 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.

EXCESS OF HOURS.

12. An employee who has worked continuously (except for meal intervals) for twenty 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 hereof) 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. (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.

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 60 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. A further hour at ordinary rates shall be allowed the employee to gather, clean, pack, and transport his tools.

APPRENTICES AND IMPROVERS.

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

ADDITIONAL ANNUAL AND SICK LEAVE FOR SPECIAL CIRCUMSTANCES.

24. 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.

PERIODICAL ADJUSTMENT OF WAGES.

25. The wages rates set out in clause 2 (b) hereof 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 by the same amount and at the same time as such basic wage. Provided that the method of adjustment shall be in accordance with the provisions of clause 26 hereof.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Throughout the State	£ s. d. 8 2 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" of 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 25 hereof.

(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 .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) For the purposes of adjustment of classification (9) of Sections "A" and "B" of sub-clause (b) of clause 2 hereof in accordance with the variations from time to time in the Basic Wage, the following is the method to be adopted:—

(i) A weekly wage comprising the following constituents is ascertained—

	£	s.	d.
Basic Wage .. .. .	8	2	0
Margin for skill .. .. .	2	6	0
War loading .. .. .	0	6	0
Tool allowance .. .. .	0	4	0
Disabilities loading .. .. .	0	5	6
Total .. .. .	11	3	6

(ii) The amount payable for a year is £11 3s. 6d.  $\times$  52 = £581 2s. Allowing two weeks on account of time lost through public holidays, one week for absence through ill health, and further in respect of classification (9) of the said Section "A" only one week for following the job; the hourly wage payable in respect of classification (9) of the said Section "A" is ascertained by dividing the amount payable for a year by  $48 \times 40$  and in respect of classification (9) of the said Section "B" by dividing such amount by  $49 \times 40$ .

Future adjustments of the wages mentioned are to be made by a similar method.

(e) Classifications, other than classification (9) of Sections "A" and "B", in sub-clause (b) of clause 2 hereof shall be adjusted so as to retain their existing margins over the said classification (9).

(f) The wages rates for apprentices shall be adjusted so as to conform from time to time with those prescribed for apprentices under the jurisdiction of the Apprenticeship Commission.

(g) 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.

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

J. W. RYAN, Secretary.

Melbourne, 27th November, 1950.

