



VICTORIA
GOVERNMENT GAZETTE.

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No. 41]

THURSDAY, FEBRUARY 4.

[1954

Factories and Shops Acts.

DETERMINATION OF THE SEWER BUILDERS BOARD.

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

(b) On the 13th September, 1927, the powers of the Board were extended to enable it to fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed as labourers in connexion with the construction of main storm water drains, whether open or closed, with a capacity not less than that of a circular drain of a diameter of 2 feet 6 inches.

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 persons employed as Labourers in connexion with the construction of sewers," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

WAGES.

2. NOTE.—Additional rates are provided for persons employed by Contractors. See clause 5.

(a)								
Apprentices or Improvers.						Juveniles.		
Wages. Per Week of 40 Hours.						Wages. Per Week of 40 Hours.		
	Percentage of Basic Wage.	s. d.		Percentage of Basic Wage.	s. d.		Percentage of Basic Wage.	s. d.
1st year }	75	177 6	Persons under 19 years of age (other than apprentices or improvers) employed— (a) carrying tools; (b) as toolsmith's assistant	80	189 6			
2nd year }								
3rd year }								
PROPORTION.								
<i>Apprentices.</i>								
One apprentice to every three or fraction of three employees receiving not less than the rate fixed in this Determination for an employee "not elsewhere classified".								
<i>Improvers.</i>								
One improver to every fifty or fraction of fifty employees receiving not less than the rate fixed in this Determination for an employee "not elsewhere classified".								

All Other Employees.

(b) (i) Day shift:—

	Wages Per Week of 40 Hours.		
	£	s.	d.
Borer, leading (i.e., employee in charge of borers testing the ground)	13	14	6
Borer testing ground	13	7	0
Cement gun nozzle operator	13	17	0
Concrete floater	13	14	6
Concrete ganger, mixer, or handler	13	7	0
Concrete mixer-driver doing repairs	13	19	6
Concrete mixer-driver not doing repairs	13	14	6
Concrete patcher	13	14	6
Compressor employee in charge doing repairs	13	19	6
Compressor employee in charge not doing repairs	13	12	0
Foreman's assistant	13	7	0
Hammer and drill hand	13	12	0
Jumperman	13	7	0
Leading hand in charge of six to ten other employees	14	2	0
Leading hand in charge of more than ten other employees	14	7	0
Machine borer	13	19	6
Manhole builder	14	2	0
Manhole sinker (any shape)	13	17	0
Leading pipe layer and/or leading jointer	13	19	6
Pipe layer and/or jointer	13	17	0
Pitcher setter	13	12	0
Ploughman	13	12	0
Ploughman's assistant	13	2	0
Pneumatic pick or scabbler or vibrator user	13	17	0
Powder monkey	14	2	0
Pump employee in charge of pump pumping water and doing repairs	13	2	0
Reinforcement placer or wiper	13	7	0
Renderer in open drains	14	7	0
Renderer in pipes, tunnels, or covered drains	14	19	6
Rigger's assistant, vent erecting	13	12	0
Rigger in charge, vent erecting or dismantling	14	2	0
Scoop filler	13	7	0
Sinker—with less than three months' experience	13	7	0
Sinker (other than manhole sinker) with three months' experience or over	13	12	0
Slurry refiller	13	2	0
Timber drawer in drives or working below 12 feet in shafts	13	12	0
Timber cutter, preparer or measurer	13	12	0
Timberman, timbering in trenches immediately behind power excavator	14	2	0
Toolsmith	13	14	6
Topman	13	2	0
Trimmer, leading (i.e., an employee in charge of trimmers)	13	17	0
Trimmer, other than leading trimmer	13	14	6
Tunneller including an employee excavating in drives	13	12	0
Vent erector or dismantler	13	7	0
Windlass hand, working alone on tripod windlass	13	7	0
Windlass hand—other	13	2	0
Employee not elsewhere classified	13	2	0

(ii) afternoon and night shift.

The wages rates provided in clause 2 (b) (i) plus an additional 5s. per shift.

Clauses, other than clause 2, of the said Determination shall remain in force.

EXCESS FARES AND TRAVELLING TIME ALLOWANCE.

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

Up to and including 12 miles	.. .. .	2s. 6d. per day.
Over 12 miles and including 20 miles	.. .. .	3s. per day.
Over 20 miles and including 30 miles	.. .. .	3s. 6d. 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) Country.—On country work where camping facilities are not provided and travel cannot be made by a public conveyance, an employee required to travel to and/or from the place of work shall, unless a conveyance be provided by the employer (free of charge), be paid allowances in accordance with the following scale:—

Two miles each way but not more than 5 miles each way	.. .. .	1s. 6d. per day.
Over 5 miles each way	.. .. .	2s. 6d. per day.

(c) Employees of Provincial Sewerage Authorities.—Where the workman is compelled to travel to or from his work in excess of two miles from the centre of the municipality, he shall be paid ordinary rates for the time so spent in travelling, provided always that the parties may agree to starting points other than the centre of the municipality.

Provided further that where more than one starting point is fixed, each employee shall be attached to one starting point only, provided that such employee may be transferred to another starting point at any time by agreement.

When an employee travels to and from his home by vehicle drawn by a heavy dray horse, the time allowed for travelling shall be computed at the rate of four miles per hour. When an employee travels on a bicycle, or by a light horse, or by a vehicle drawn by a light horse, the time allowed for travelling shall be computed at the rate of eight miles per hour.

Should an employee have to walk to and from his work, the time allowed for travelling shall be computed at the rate of three miles per hour.

Where an employee is sent from one place to another and cannot reasonably return to his home each night, he shall be paid an allowance of 10s. per day or part thereof for the first five days and 45s. per week thereafter, except where board and lodging are provided by the employer.

ADDITIONAL ALLOWANCES.

4. (a) Depth Allowance.—Any person classified as an apprentice, improver, juvenile worker, topman, or an employee not elsewhere classified working at a depth of 8 feet or more, and any other employee working at a depth of 16 feet or more shall be paid an additional 3d. per hour.

(b) Compressed Air Work.—An employee working in an airlock or compressed air up to 20 lbs. per square inch pressure, 3s. per eight hour shift. The working hours and conditions shall be those prescribed by the Standards Association Code for work in compressed air.

(c) *Plan Allowance*.—An employee, provided he is not in charge of six or more employees, engaged on work for which he is supplied with a plan, shall be paid an additional 2s. per day.

(d) *Special Trimmer*.—A trimmer engaged in trimming an excavation where concrete is to be placed directly against the bottom, sides, or roof of the excavation or user of pneumatic pick while engaged in trimming—6d. per day.

(e) *Wet Pay*.—An employee who is required to work in any excavation in which water, other than rain, is continually falling or dripping from overhead or from the sides of the excavation to such an extent that the employee's clothing is wetted, or any employee who, during the normal course of his work in any excavation, is required to stand in water exceeding 2 inches in depth, shall be paid an additional 2s. per day or portion of a day.

Where in the opinion of the supervising officer conditions are exceptionally wet payment of 6s. per day shall be made. The payment of either of these allowances shall relieve an employer from any liability to supply such an employee with rubber boots.

(f) *Work in Rain*.—An employee required to work in heavy rain, 6s. per day. (Rain shall be deemed to be heavy when, if the employee works therein as required, his clothing shall become saturated.)

The payment of this allowance shall relieve an employer from any liability to supply such an employee with rubber boots.

(g) *Slurry Refiller*.—A slurry refiller when so engaged shall not be entitled to wet pay but shall receive an additional 2s. per day or portion of a day.

(h) An employee on live sewer work, as defined shall be paid an additional 9d. per hour.

(i) *Bicycle Allowance*.—An employee required to use his bicycle in the course of his duties shall be paid an allowance of 1/- for each day or part thereof on which he is required to use such bicycle.

CONTRACTORS' EMPLOYEES.

5. *Allowance in lieu of Payment for Holidays*.—Persons employed by Contractors shall be paid the following amounts in addition to the rates set out in clause 2 in lieu of holidays set forth in clause 9.

Apprentices or Improvers	..	..	..	..	..	..	..	7s. 4d. per week.
Juvenile Workers	..	..	..	..	..	..	..	7s. 10d. per week.
All other Employees	..	..	..	..	..	..	..	15s. 3d. per week.

WORKING HOURS.

6. (a) Except as in this Determination otherwise provided, the ordinary weekly total hours of work shall not exceed 40 per week, and shall be worked 8 hours per day continuously, except for meal breaks, Monday to Friday inclusive between the hours of 7 a.m. and 5.30 p.m. Provided, however, the spread of hours herein prescribed shall not apply to men employed on shift work.

(b) Where special circumstances exist and a majority of employees desire to work longer hours on any day they may, subject to the consent of the employer and the consent of the union secretary, be permitted to do so without payment of any penalty rate provided the longer hours so worked on any one day do not exceed two (2) and the prescribed working week of 40 hours is not exceeded.

SHIFTS.

7. The employer may require employees to work such ordinary weekly total on a shift or relay being one of either two or three shifts or relays worked in the 24 hours, but only subject to the following conditions:—

(a) Each shift shall be worked in one period with no break except for recognized meal or smoke oh intervals.

(b) In each shift during which the employee does not receive the same amount of time for a meal interval as that which day workers receive under this Determination he shall be allowed twenty minutes crib time, to be paid for as ordinary working time.

(c) For work done at any time during a shift, which shift comprises within its period any time falling within the time beginning at 7 p.m. and ending at the next following 6 a.m., the ordinary rate of pay shall be increased by ten per cent.

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

(e) "A shift worker who during a period of engagement on shift works on night shift and without some regular weekly rotation with some other shift, or with day work, shall be paid at the rate of time and a quarter for all time worked during ordinary working hours for such shift, provided such shift continues for not less than five successive nights."

(f) "Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination for shift work, shall be paid at the rate of double time."

OVERTIME.

8. (a) Except as in this Determination otherwise provided, all time worked in excess of or outside the ordinary hours of work shall be paid at one and a half times the ordinary prescribed rate for the first two hours and at double the ordinary prescribed rate for all time thereafter. In computing overtime each day's work shall stand alone.

(b) An employee recalled to work after the expiration of his customary working time for the day, and after he has left work for the day, or called out to work on a Saturday, shall be paid for a minimum of three hours' work at one and a half times the ordinary prescribed rate for each time he is so recalled.

Provided that the employee, if required to work for two hours or more, shall be paid for a minimum of three hours' work calculated at one and a half times the ordinary prescribed rate for two hours and at double the ordinary prescribed rate for one hour.

(c) For the purpose of computation of overtime under this clause, a day shall mean all the time between the normal commencing time of one day and the normal commencing time of the next succeeding day, but a Saturday shall mean all the time between midnight Friday and midnight Saturday, and a Sunday shall mean all the time between midnight Saturday and midnight Sunday.

PAYMENT FOR HOLIDAYS.

9. All employees other than these employed by Contractors shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Melbourne Cup Day, Christmas Day, Boxing Day, and Anzac Day. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays this condition shall only apply to the day so substituted.

Provided that for employees employed at work beyond a radius of 25 miles of the General Post Office, Melbourne, another day may, by agreement between the employer and the Union, be substituted for Melbourne Cup Day.

Should the 25th December in any year occur on a Saturday or a Sunday the following Monday and Tuesday shall for the purposes of this Determination be deemed to be Christmas Day and Boxing Day respectively. Likewise should the 1st January in any year occur on a Saturday or a Sunday the following Monday shall be deemed to be New Year's Day.

9A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed in clauses 9 and 10 hereof.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

SPECIAL RATES.

10. An employee required to work on Sunday or on any holiday prescribed in clause 9 or on any day by Act of Parliament or Proclamation substituted for such holiday shall be paid at double the ordinary prescribed rate. In the latter case the payment of double the ordinary rates shall apply to the substituted day only.

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 PAY.

12. After one month's continuous service an employee who is absent from work on account of personal illness or injury by accident for which he is not entitled to workers' compensation shall, on production within twenty-four hours of evidence of his illness or injury satisfactory to his employer, be entitled to leave of absence on the prescribed rate of pay for a period of one week of working time in any one year. Such sick leave shall be cumulative.

PAYMENT OF WAGES.

13. All employees shall be paid weekly.

MEAL ALLOWANCE.

14. An employee required to work overtime for two hours or more without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 3s., or if the work extends into a second meal hour, 6s. for the two meals, but such payment need not be made to employees living in the same locality as the job who can reasonably return home for meals.

MINIMUM PAYMENT.

15. An employee who starts work on a Sunday or Holiday shall be entitled to a minimum payment of three hours at double time. Provided that an employee who presents himself for work when directed on a Sunday or Holiday, and who is unable to commence work for reasons set out in clause 17, shall be entitled to a minimum payment of three hours at one and a half times the ordinary rate.

MIXED FUNCTIONS.

16. (a) With the exception of live sewer work, an employee engaged for more than two hours in any one day on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for the whole of such day. If he works for two hours or less in such higher classification he shall be paid at the higher rate for the time so worked.

(b) Live sewer work shall be paid for at the live sewer rate with a minimum payment of two hours at the live sewer rate.

(c) In the event of live sewer work being of an unusually offensive nature, the effects of which are experienced by the employee after such live sewer work has ceased, such an employee shall be paid at the live sewer rate from the time the work is commenced until the completion of the day's work.

(d) The decision as to the operation of sub-clause (c) above shall be made by the Inspector or other person in charge of the job, if necessary, after consultation with the Union representative on the job.

EMPLOYEE PRESENTING HIMSELF FOR WORK.

17. An employee who presents himself for work at the usual starting time on any day from Monday to Friday inclusive, and who is unable to commence work on that day for any of the following reasons, namely, wet weather, waiting until shafts or trenches are bailed out, shortage of material or any other reasons over which the employer has no control, shall be paid:—

(a) A full day's pay if such employee holds himself in readiness for the whole working day or if he leaves with the consent of the employer before the end of the working day.

(b) The actual time for which such employee holds himself in readiness if he leaves without the consent of the employer before the end of the working day. Provided that an employee shall not be entitled to payment as aforesaid unless he attends and remains at his place of employment and is available and willing to perform under cover, when requested to do so, such other duties as may be allotted to him.

EMPLOYEE ON JUMP UPS.

18. (a) An employee working on jump ups shall be supplied with assistance.

(b) An employee working on a House Branch Sewer for which a separate plan has been issued shall when the excavation reaches a depth of six feet or more be provided with assistance.

CHANGE HOUSE.

19. (a) Where two men are employed the employer shall provide canvas shelter covers.

(b) Where three or more men are employed, the employer shall provide a sufficiently roomy and enclosed roofed structure with floor boards for the use of employees.

FIRST-AID OUTFIT.

20. A first-aid outfit shall be provided on all jobs by the employer.

SANITARY ACCOMMODATION.

21. The employer shall satisfy himself that reasonable sanitary facilities are available on all jobs and where necessary make provision for such facilities.

PROVISION OF STAGE OR WINDLASS.

22. An employee engaged on shaft sinking shall be provided with a stage or windlass at a suitable depth having regard to the nature of the ground. The determination of a suitable depth for the provision of such stage or windlass shall be made by the Inspector or other person in charge of the job, if necessary, after consultation with the Union representative on the job.

SHEETING SHAFTS.

23. All shafts sunk in sandy country to a greater depth than 8 feet shall be sheeted.

TOOLS.

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

SUPPLY OF FIREWOOD.

25. The employer shall provide, free of cost, an adequate supply of firewood on all jobs.

REST PERIODS.

26. Two rest periods, each of seven and a half minutes duration, shall be granted each day without deduction of pay at times convenient to the employer's representative in charge of the work.

DEFINITIONS.

27. (a) *Live Sewer Work*.—Live sewer work is work carried out in situations where there is direct aerial connexion with a sewer through which sewage is flowing. Where aerial connexion with such sewer is blocked by a disc, plug, water seal, or other means, the live sewer rate shall not apply.

(b) *Slurry Refiller*.—A slurry refiller is an employee who by means of hand tools mixes soil with water to a suitable consistency and/or shovels the resultant mixture into an excavation.

(c) *Renderer*.—A renderer is an employee who applies by hand a continuous coat of cement mortar to a brick, masonry, or set concrete surface, and finishes it to a true and smooth surface by means of a trowel or float.

(d) *Trimmer*.—A trimmer is an employee who, after the bulk of the material to be excavated has been removed, trims the balance of the excavation to the correct line, grade, or cross section.

PERIODICAL ADJUSTMENT OF WAGES.

28. The wages rates for other employees 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 by the same amount and at the same time as such basic wage as prescribed by clause 29.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Throughout the State of Victoria	£ s. d. 11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

29. (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, 1954, the amount of the basic wage shall be as prescribed in clause 28.

(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) The wages of apprentices or improvers and juveniles 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.

MARGINAL RATES.

30. In addition to the basic wage provided in clause 28 the margins set out in this clause shall be the minimum rate payable to employees therein provided:—

Classification.	Margins Per Week.
	£ s. d.
Borer, leading (i.e., employee in charge of borers testing the ground)	1 17 6
Borer testing ground	1 10 0
Cement gun nozzle operator	2 0 0
Concrete floater	1 17 6
Concrete gauger, mixer or handler	1 10 0
Concrete mixer-driver doing repairs	2 2 6
Concrete mixer-driver not doing repairs	1 17 6
Concrete patcher	1 17 6
Compressor employee in charge doing repairs	2 2 6
Compressor employee in charge not doing repairs	1 15 0
Foreman's assistant	1 10 0
Hammer and drill hand	1 15 0
Jumpersman	1 10 0
Leading hand in charge of six to ten other employees	2 5 0
Leading hand in charge of more than ten other employees	2 10 0
Machine borer	2 2 6
Manhole builder	2 5 0
Manhole sinker (any shape)	2 0 0
Leading pipe layer and/or leading jointer	2 2 6
Pipe layer and/or jointer	2 0 0
Pitcher setter	1 15 0
Ploughman	1 15 0
Ploughman's assistant	1 5 0
Pneumatic pick or scabbler or vibrator user	2 0 0
Powder monkey	2 5 0
Pump employee in charge of pump pumping water and doing repairs	1 15 0
Reinforcement placer or wiper	1 10 0
Renderer in open drains	2 10 0
Renderer in pipes, tunnels, or covered drains	3 2 6
Rigger's assistant, vent erecting	1 15 0
Rigger in charge, vent erecting or dismantling	2 5 0
Scoop filler	1 10 0
Sinker—with less than three months' experience	1 10 0
Sinker (other than manhole sinker) with three months' experience or over	1 15 0
Slurry refiller	1 5 0
Timber drawer in drives or working below 12 feet in shafts	1 15 0
Timber cutter, preparer or measurer	1 15 0
Timberman, timbering in trenches immediately behind power excavator	2 5 0
Toolsmith	1 17 6
Topman	1 5 0
Trimmer, leading (i.e., an employee in charge of trimmers)	2 0 0
Trimmer, other than leading trimmer	1 17 6
Tunneller including an employee excavating in drives	1 15 0
Vent erector or dismantler	1 10 0
Windlass hand, working alone on tripod windlass	1 10 9
Windlass hand, other	1 5 0
Employee not elsewhere classified	1 5 0

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 27th November, 1953.



VICTORIA
GOVERNMENT GAZETTE.

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THURSDAY, FEBRUARY 4.

[1954

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 1st December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

IMPROVERS.

—	Wages.	Proportion (by any Employer).
	Per Hour.	IMPROVERS.
	s. d.	
Under 18 years of age	4 5	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	5 3	
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	}	7 1
Pitcher setter, cube setter, or pavior		
Weigher and/or mixer on hot asphaltic mixing plant		
Rigger		
Splicer of Wire Rope or Hemp Rope	}	7 1
Bitumen pourer or kettle attendant		
Tunnel man or shaft sinker		
Timber man in tunnel or shaft		
Pipe joiner, or pipe layer		
Powder monkey		
Sinker in trenches for storm-water drain		
Finisher in concrete work		
Leading tackle hand		
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	}	7 0
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		
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		
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		
Batterman using batter rule		
Boodler in tunnel		
Fencer	}	6 11
Sanitary or garbage attendant		
Scabler in tunnel		
Metal or gravel spreader		
Spaller, ploughman, manhole builder's labourer, and Telford pitcher setter		
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		
Cold asphaltic shoveller or forker		
Ploughman's offsider	}	6 11
Tipper of monkey-tail scoop		
Slurry filler		
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		
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)	}	7 3
All others		
		6 10

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.
Monday to Friday (Day shift)	Where one shift is worked— 7.30 a.m. 1 p.m.	noon 5 p.m.
Monday to Saturday (Day shift) (Afternoon shift) (Night shift)	Where two or three shifts are worked— 7 a.m. 3 p.m. 11 p.m.	3 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, Queen'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.

8a. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday of public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays prescribed in clause 8 hereof.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

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). £ s. d.	Index Number Set Assigned.
Throughout the State	11 17 0	Melbourne

Table "A."
(Based on Basic Wage of 237s.)

IMPROVERS.

	Wages. Per Hour. s. d.
Under 18 years of age	4 5
18 years of age and under 20	5 3
20 years of age and under 21	Appropriate adult rate.

OTHER EMPLOYEES.

	* Wages.	Weekly Marginal Equivalent.	Special Loading.
	Per Hour.		
	£ s. d.	£ s. d.	s. d.
Man operating power rammer	7 1	2 4 10	3 0
Pitcher setter, cube setter, or pavior			
Weigher and/or mixer on hot asphaltic mixing plant			
Rigger	7 1	2 3 0	3 0
Slicer of Wire Rope or Hemp Rope			
Bitumen pourer or kettle attendant			
Tunnel man or shaft sinker			
Timber man in tunnel or shaft			
Pipe jointer, or pipe layer			
Powder monkey			
Sinker in trenches for storm-water drain			
Finisher in concrete work			
Leading tackle hand			
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 .. .. .				7 0	1 10 4	3 0
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			
Mixer, gauger, spreading or layer on of concrete	6 11	1 17 6	3 0
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			
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			
Sanitary or garbage attendant			
Scabler in tunnel			
Metal or gravel spreader			
Spaller, ploughman, manhole builder's labourer, and Telford pitcher setter			
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	6 11	1 15 8	3 0
Cold asphaltic shoveller or forker			
Ploughman's offsider			
Tipper of monkey-tail scoop			
Slurry filler			
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			
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)			
All others	6 10	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, 1954, 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, 26th November, 1953.



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, FEBRUARY 4.

[1954

Factories and Shops Acts.

DETERMINATION OF THE SEWAGE DISTRIBUTION 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 appointed to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed—

- (a) in the process, trade, business, or occupation of distributing sewage or effluent from channels or treatment tanks ;
- (b) at or about tanks at sewage treatment works,” has made the following Determination, namely :—

1. That, as from the 1st December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

WAGES PER WEEK.

	£	s.	d.
2. (a) Leading waterman	14	2	0
Waterman	13	11	0
Groundsman	13	11	0

Maintenance Work.

Ganger (i.e., a man in charge of over six men)	13	16	0
Leading hand (i.e., a man in charge of from three to six men)	13	10	0
All others	13	1	0

Maintenance work includes operations in areas used for sewage disposal on carriers used for the conveyance of sewage, and on drains used for the conveyance of effluent.

(b) An employee engaged on continuous shift work shall, in addition to the appropriate rate fixed above, be paid a loading at the rate of 10s. per week. Provided that for shift work done on a Saturday he shall be paid at the rate of time and one half of the appropriate rate fixed above.

(c) (i) Where an employee on maintenance work is required to do work of an unusually offensive nature in grass filtration or pasture areas, entering or cleaning out sewage distribution or effluent channels or digestion tanks or septic tanks, he shall be paid a disability rate of 13s. per week or 2s. 7d. per day in lieu of the disability rate for his classification as prescribed in clause 16 with a minimum of two hours on any one day. The decision as to what constitutes work of an unusually offensive nature shall be made by the Resident Engineer, if necessary after consultation with an employee member of the Wages Board on the job.

(ii) Where an employee in any of the above classifications is required to enter and manually remove sludge from sedimentation tanks, or syphons, he shall be paid a disability rate of 35s. per week or 7s. per day in lieu of the disability rate for his classification as prescribed in clause 16.

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

Clauses, other than clause 2, of the said Determination as amended on the 28th March, 1951, shall remain in force.

ORDINARY WEEK'S WORK.

3. The ordinary hours for a week's work shall be as follows :—

(a) For persons other than shift workers—

40 hours per week to be worked.

Monday to Friday 8 hours between 8 a.m. and 5 p.m.

The above times of beginning and ending may be varied on any job by mutual consent of the employer and a majority of the employees, but in no case shall the total number of hours be increased.

(b) By shift workers—

Morning shift	7 a.m. to 3 p.m.
Afternoon shift	3 p.m. to 11 p.m.
Night shift	11 p.m. to 7 a.m.

OVERTIME.

4. (a) Persons other than shift workers—

For all time worked, excluding Sundays, outside the hours or in excess of the number of hours fixed in clause 3 (a) :
Time and a half for the first two hours on any day, and double time thereafter.

(b) Shift workers—

For all time worked outside the hours fixed for shifts in clause 3 (b) Time and a half.

The overtime rate for shift workers shall not apply to arrangements between employees themselves or in cases due to rotation of shifts or when the relief does not come on duty at the proper time. Provided that where not less than eight hours' notice has been given to the employer by the employee that he will be absent from work, and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

FARE ALLOWANCE.

5. The following additional rate shall be paid to any person employed under this Determination :—1s. per day or portion of a day unless transport is provided by the employer.

Employees of Sewerage Authorities other than the Melbourne and Metropolitan Board of Works are exempted from the provisions of this clause unless they reside more than half a mile from Sewage Treatment Works.

BICYCLE ALLOWANCE.

6. Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance at the rate of 1s. per day for each day the bicycle is used in the manner directed.

FAILING TO NOTIFY EMPLOYEES.

7. If any employee on shift work, or any other daily, weekly, or nightly work, is not informed before he leaves the job at the end of his shift or day that he is not required to work on the next shift, or day, or night, and such employee attends on the next shift, or on the next day or night, and he is not put to any other work, he shall be paid for four hours for that shift, day or night not worked.

Provided that this clause shall not apply in the case of an employee for whom other suitable work is provided.

EMPLOYEE PRESENTING HIMSELF FOR WORK.

8. Any employee who presents himself for work, and who is not permitted by the employer to commence work on that day on account of wet weather or any other reasons over which the employee has no control, shall be paid :—

(a) A full day's pay if such employee holds himself in readiness for the whole working day or if he leaves with the consent of the employer before the end of the working day.

(b) The actual time for which such employee holds himself in readiness if he leaves without the consent of the employer before the end of the working day.

EMPLOYEE RECALLED TO WORK.

9. An employee recalled to work after the expiration of his customary working time for the day, and after he has left work for the day or called out to work on a Saturday shall be paid for a minimum of 3 hours' work at one and a half times the ordinary prescribed rate for each time he is so recalled.

Provided that the employee, if required to work for two hours or more, shall be paid for a minimum of 3 hours' work calculated at one and a half times the ordinary prescribed rate for two hours and at double the ordinary prescribed rate for one hour.

WET PLACES.

10. (a) If an employee is required to walk in sewage effluent or to work in a wet place or to work in heavy rain, he shall be provided with gumboots or oilskins, or both, so as to protect him from getting wet.

(b) If he is not so provided so as to protect him from getting wet, he shall be paid therefor 2s. extra for the day, whatever amount of work may be done by him thereon.

(c) For the purposes of this clause, a place shall be deemed to be wet when water other than rain is continually dropping from overhead so as to saturate the clothing of the employee, if unprotected, and/or when the water in the place where the employee is standing is over two inches deep, and rain shall be deemed to be heavy when, if the employee works therein as required, his clothes shall become saturated.

SICK LEAVE.

(a) Employees of Melbourne and Metropolitan Board of Works.

11. (i) An employee employed by the week who is absent from work on account of personal illness or on account of injury by accident for which he is not entitled to workers' compensation shall, on production within 24 hours of evidences of his illness or injury satisfactory to the employer be entitled to leave of absence on the prescribed rate of pay for a period of one week of working time in any one year.

(ii) Such sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (i) of this clause which has in any year not been allowed to an employee by the Board as paid sick leave may be claimed by the employee and subject to the conditions hereinbefore prescribed shall be allowed by the Board in any subsequent year without diminution of the sick leave prescribed in respect of that year.

(b) Other Employees.

(i) This clause shall apply only to continuing employees and shall apply from the first day of October, 1946, inclusive. For the purposes of this clause, an employee shall be deemed to be a continuing employee when he is engaged by the week and his engagement shall have continued for a continuous period exceeding one month. And a person shall be deemed to be continuing in the employer's employ (though not actively) during any period that he is absent from work on leave granted in consequence of personal injury or illness if he submits a certificate or certificates from a medical practitioner covering the period of absence, or other proof satisfactory to the employer, and during any period that he is absent on other leave granted by an authorized officer.

(ii) (a) Each continuing employee shall be entitled to be credited with the number of sick leave days set out in sub-clause (iii) (a) hereof, and shall be debited with such payments as he receives under sub-clause (iv) (a) hereof; provided however that at no time he shall be entitled to have, or have, a balance of more than 30 days to his credit, and provided further that on an employee ceasing to be in the employer's employ whether voluntarily or involuntarily the number of days (if any) standing to his credit and which have therefore not been required, shall be cancelled without any payment being made in respect of any such days, but if his employment is terminated by the employer other than for misconduct or absence from work without reasonable excuse, and he is subsequently within a period of twelve months re-employed and deemed to be a continuing employee, the number of days which were to his credit before cancellation on the termination of his former period of employment, shall after his re-engagement has continued for one month again be placed to his credit.

(b) "Day" for the purpose of sick leave credits shall where 40 hours are fixed herein as the number of hours for a week's work, be deemed to be eight hours; and shall where a number less than 40 hours is regularly worked by an employee, be deemed to be 3/10 of such number.

(iii) (a) Each continuing employee in the employer's employ on the 1st day of October, 1946, shall be entitled on such date to be credited with six days' sick leave in respect of the year which commenced on that date.

(b) Each continuing employee in the employer's employ on each subsequent 1st day of October, shall be entitled on such date to be credited with six days in respect of the year commencing on such date: provided however, that any employee absent on such 1st day of October or from a date prior to such 1st day of October and still absent on such 1st day of October, shall not be entitled to be credited with such six days unless, and until the day he returns to work whereupon he shall be so credited.

Each employee who may become a continuing employee on or after the 1st day of October, 1946, shall as from the date that he is deemed a continuing employee be entitled to be credited with six days' sick leave in respect of the year ending twelve months after the date of his being deemed a continuing employee, unless having been previously employed in that year he has already been credited with six days for that year.

(iv) (a) Subject to the provisos contained in paragraphs (b), (c), (d), (e), (f), and (g) of this sub-clause, a continuing employee absent from his work through personal accident or sickness not attributable in either case to the employee's misconduct shall in respect of each such period of absence be entitled to and be paid sick leave pay as hereinafter set out for the time absent on each day, but not exceeding the number of hours which, apart from overtime i.e., excess work, it would have been usual for him to work on each day that he is so absent: that is to say:—

In respect of time absent not exceeding the number of days to his credit under sub-clauses (ii) and (iii) hereof, which time would have been worked by him for his absence (day meaning the 24 hours ending at midnight); sick leave pay at a rate equal to the sum of the ordinary rate of wage and any usual additional rate of whatever nature which he would have been payable to him had he been at work, but excluding any hourly rate, until the number of hours to his credit under sub-clauses (ii) and (iii) hereof shall have become reduced to none. The ordinary rate means the rate defined herein as ordinary rate. Where Sunday, payable at double rate is included as a sick leave day, every hour thereof paid for as sick leave shall be counted as a debit of two hours. Sick leave pay shall be in respect of that occupation which, in a fixed roster of work, would have been the employee's occupation had he not been so absent. And where there is no fixed roster of work, sick leave pay shall be in respect of the occupation which the employee was performing immediately prior to the commencement of the absence, unless in the opinion of the Engineer such occupation would not have continued to be the employee's occupation had the employee not become so absent, and in such case sick leave pay shall be in respect of such occupation as such Engineer shall name.

Any public holiday or holidays as defined herein occurring during the first month of any absence shall not, if the employee is entitled to such holiday with pay, be included as days of absence for the purpose of sick leave pay.

And if the number of hours to his credit shall have become reduced to none on or before the 30th day of September next following the commencement of such absence, and such absence shall continue beyond such date, he shall on the day he returns to work be credited with six days as provided by paragraph (b) of sub-clause (iii) hereof, but such credit shall not be available as sick pay in respect of the absence then just ended.

(b) That on the first day of the absence the Engineer or foreman or overseer is notified of the cause of the absence.

(c) That the employee within three days produces a certificate from a medical practitioner or some other medical practitioner nominated by the employer shall so require within such further period as the employer shall allow (whose certificate shall be final and conclusive) describing the nature of the illness or disability and certifying the period of absence necessary, or produces other proof satisfactory to the Engineer or other authorizing officer that his absence and continued absence was reasonably necessary through personal accident or sickness. And when the absence continues beyond the end of any period so proved, that he furnishes evidence that a continuation of the absence is necessary for a further specified period.

(d) That no sick leave pay shall be payable in respect of any absence for which an employee will be entitled to receive or receives compensation under the Workers' Compensation Act.

(e) That no sick leave pay shall be payable to an employee beyond a date on which his contract of employment shall terminate by reason of his death, or his having reached the compulsory retiring age, or notice—express or implied—operating to terminate his contract of employment or by or from other causes.

(f) No "standing-by" allowance, or travelling allowance, or camping allowance, or vehicle allowance if the vehicle is not being used for the employee's purposes, or any disability allowance, shall be payable in respect of any period of absence on sick leave.

(g) Except as provided, no employee shall be entitled to payment for the time absent from work in consequence of personal accident or ill health.

(h) An employee leaving the employer's employ to take employment with some other employer immediately following one or more days' absence through illness shall not be entitled to any sick leave pay which may not have been paid to him in respect of such absence.

HOLIDAYS AND SUNDAYS.

12. All employees shall be entitled to the nine holidays hereinafter mentioned without deduction of pay:—New Year's Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day, and Boxing Day. Should any of such holidays fall on a rest day of an employee engaged on shift work he shall in such cases receive within twelve months thereafter a holiday on full pay in lieu of each of such days except in a case where any such holiday falls on a Saturday or a Sunday. Should the 25th December in any year occur on a Saturday or a Sunday the following Monday and Tuesday shall, for the purposes of this Determination, be deemed to be Christmas Day and Boxing Day respectively. Likewise should the 1st January in any year occur on a Saturday or a Sunday the following Monday shall be deemed to be New Year's Day.

Work done by employees (other than shiftworkers) on Sundays and holidays shall be paid for at the rate of double time with a minimum of three hours' pay at the penalty rate.

For shift workers double time shall be the rate for all work done on Sundays, Good Friday and Christmas Day, and time and a half shall be the rate for all work done on New Year's Day, Labour Day, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, and Boxing Day.

The days following the day observed as Boxing Day up to and inclusive of the 31st December in each year shall be granted as holidays on full pay to all employees with not less than twelve months' service. The days occurring within this period shall, except in the case of shiftworkers, be exclusive of Sundays. Should any employee work on any of the days referred to in this period or should a rest day of any employee engaged on shift work fall within such period he shall in either case receive within twelve months thereafter a holiday on full pay in lieu of each of such days.

12A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday of public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed in clause 12 hereof.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

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 provided that in respect of a continuous shift worker an additional day shall be added to the annual holiday as prescribed for each holiday referred to in clause 12 on which such an employee is required to work with a maximum of five such additional days.

PERIODICAL ADJUSTMENT OF WAGES.

14. The wages rates 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 increased or decreased by the same amount and at the same time as such Basic Wage as prescribed by clause 15.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

15. (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, 1954, the amount of the basic wage shall be as prescribed in clause 14.

(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.

MARGINAL RATES.

16. In addition to the basic wage provided in clause 14, the margins and disabilities rates set out in this clause shall be the minimum rates payable to employees therein named :—

	Margin for Skill.	Disability Rate.
	s. d.	s. d.
Leading waterman	32 0	13 0
Waterman	21 0	13 0
Groundsman	21 0	13 0
<i>Maintenance Work.</i>		
Ganger (i.e., a man in charge of over six men)	36 0	3 0
Leading hand (i.e., a man in charge of from three to six men)	30 0	3 0
All others	21 0	3 0

A. V. BARNS, J.P. Chairman.

J. W. RYAN, Secretary.

Melbourne, 26th November, 1953.



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, FEBRUARY 4.

[1954

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 17 (TOBACCONISTS).

NOTE.—This Determination applies to the following parts of Victoria, viz.:—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 Newtown and Chilwell; and the Boroughs of Eaglehawk and Sebastopol.

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 employed in a Tobacconist's shop" has made the following Determination, namely:—

1. That as from the 23rd December, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.					Other Employees.	
WAGES.	Per Week of 40 Hours.				WAGES.	Per Week of 40 Hours. <i>s. d.</i>
	Males.		Females.			
	Percentage of Basic Wage.	<i>s. d.</i>	Percentage of Female Basic Wage.	<i>s. d.</i>		
15 years of age or under ..	33	78 0	41	73 0	Departmental Manager or Manageress, i.e., the principal employee in charge of a tobacco Department in any store, notwithstanding he or she may be under the orders of another person who does not devote his or her whole time to the management of such Department ..	289 0
16 years of age ..	42	99 6	51	90 6	First assistant male or female, 25 years of age, where two or more persons over the age of 19 years are employed ..	284 0
17 years of age ..	60	142 0	69	122 6	*All others { Male	274 0
18 years of age ..	74	175 6	81	144 0	Female	205 0
19 years of age ..	90	213 6	100 plus 1/6	179 0		
20 years of age ..	100 plus 6/6	243 6	100 plus 25/6	203 0		

Provided that any apprentice or improver without previous experience entering the trade at 17, 18, 19, or 20 years of age may be paid for his first and second year's service 20 per cent. less than the rates fixed above.

PROPORTION (IN ANY PLACE).

Apprentices.

One apprentice to three or fraction of three workers receiving not less than the minimum wage.

Improvers.

One improver to every two or fraction of two workers receiving not less than the minimum wage.

* Provided that any employee in charge of a kiosk, or stall, notwithstanding he or she may be under the orders of another person who does not devote his or her whole time to the management of such kiosk, or stall, shall be paid the rates herein provided with an addition of 10 per cent.

3.		TIME OF BEGINNING AND ENDING WORK.	
Time of Beginning.		Time of Ending.	
8.30 a.m. ..	.. ..	5.30 p.m. on Monday to Friday inclusive.	
8.30 a.m. ..	.. ..	noon on Saturday.	

OVERTIME.

4. Within the hours fixed in clause 3 in excess of 40 hours in any week } Time and a half.
Outside the hours fixed in clause 3 }

TIME WAGES.

5. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work, shall for each hour worked up to 20 hours be paid—

(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.

and thereafter the ordinary wage rate up to but not exceeding ordinary wages rates for an ordinary week's work:

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

NOTE.—Section 117 (2) Act 3677 provides that:—Any person may, if notice in writing has previously been sent to the chief inspector, be employed in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person is so employed shall not exceed twenty-five.

TERMINATION OF EMPLOYMENT.

6. Except in a case where an employee or an employer has been guilty of misconduct, or where an employee has been engaged temporarily for a period not exceeding six weeks in duration, seven days' notice of termination of employment shall be given by either party or a week's wages paid or forfeited, as the case may be, in lieu thereof.

SUNDAYS AND HOLIDAYS.

7. Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, 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 rate shall be payable for work done only on the day so substituted.

7A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed in clause 7 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

MEAL INTERVAL.

8. All employees shall be allowed the following meal interval, with permission to leave the shop for the whole of such interval, viz.:—From Monday to Friday, one hour for lunch, between the hours of 11.45 a.m. and 2.15 p.m.

MEAL MONEY.

9. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 5s. as meal money in addition to the rate provided in clause 4.

ANNUAL LEAVE.

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.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 1s. plus postage.)

SICK LEAVE.

11. (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—3½ 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 or her 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 August, 1948, shall be disregarded.

PAYMENT OF WAGES, ETC.

12. Payment of all wages, overtime special rates, and allowances due shall be made during working hours not later than Thursday each week.

REST PERIODS.

13. All employees shall be allowed two rest intervals on each day as follows:—(a) The first of ten minutes to be allowed between the time of commencing work and the usual luncheon interval; (b) the second of ten minutes to be allowed between the usual luncheon interval and the time of ceasing work for the day. Such intervals are to be counted as part of time worked.

REFERENCE.

14. An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive from such employer a reference in writing, stating his or her period of service or qualifications. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

POSTING DETERMINATION.

15. A copy of this Determination shall be posted in a conspicuous place at or near the entrance to the shop, kiosk, stall, or department.

TIME AND WAGES RECORD.

16. The employer shall keep a wages record showing the name of each employee, the number of hours worked each week, and the wages and overtime paid for such week. Such record shall be open for inspection by a paid accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Retail Tobacco Sellers' Association of Victoria.

CLOTHING.

17. Where any employee is required by his employer to wear any special uniform, dress, or clothing, it shall be supplied, paid for, and if necessary, except as provided hereunder, laundered by the employer. Any such garment shall remain the property of the employer.

Where the employee is required to launder the garment an allowance of 3s. 9d. per week, in addition to the ordinary wage shall be paid.

FIRST-AID OUTFIT.

18. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

19. The wages rates for adult males, Departmental Managers, and First Assistant (Female), 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 by the same amount and at the same time as such basic wage as prescribed by clause 20.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	Per week. £ s. d.	
Within the area to which this Determination applies	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

20. (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, 1954, the amounts of the Basic Wage shall be as prescribed in clause 19.

(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) The wages rates for adult females classified as All Others are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(e) The 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, 8th December, 1953.

