



VICTORIA GOVERNMENT GAZETTE

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THURSDAY, OCTOBER 21.

[1954

Labour and Industry Act 1953.

DETERMINATION OF THE SHOPS BOARD No. 13 (FUEL AND FODDER—COUNTRY).

NOTE.—This Determination applies to the whole of the State outside and excepting the following parts of Victoria, namely:—The Metropolitan District as defined in the Labour and Industry Act; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Labour and Industry Act 1953, the Wages Board which now has the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (a) employed in the business of a hay, corn, or chaff dealer;
- (b) employed carting, cutting, or otherwise preparing firewood for sale or for use in some process, trade, business, or occupation;
- (c) employed in connexion with the sale or distribution of wood, coal, or coke;
- (d) employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal"—

has made the following Determination, namely:—

1. That on the 1st September, 1954, the last previous Determination of this Board shall be revoked and replaced by this Determination.

Part 1.—Persons OTHER THAN those employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.

2.

IMPROVERS.			OTHER EMPLOYERS.		
Wages per Week of 40 Hours.			Wages per Week of 40 Hours.		
	Percent- age of Basic Wage.	s. d.	<i>Firewood Saw-mills, Mallee Roots, &c.</i>		
			Benchmen at self-acting benches where not more than two persons are employed, viz., benchman and stacker	273	0
			Other benchmen	268	0
			Lumpers	268	0
			Trolley-men	268	0
			Skip loaders	268	0
			Truck loaders of wood 4 feet or over	268	0
			Wagon or dray loaders	268	0
			Block stackers	262	0
			Wood cutters using axe, power crosscut, circular saw, or other method	273	0
			Carters driving one, two, or three horses	273	0
			And 6s. extra per week for every additional horse in excess of three.		
			Drivers of motor vehicles having a carrying capacity—		
			(a) not exceeding 25 cwt.	267	0
			(b) exceeding 25 cwt. but not exceeding 3 tons	273	0
			(c) exceeding 3 tons	279	0
			And if a trailer is attached to the vehicle—1s. 6d. per day extra.		
			Persons engaged in raising, digging out, cleaning, trimming, or loading mallee roots on to vehicles	278	0
			All others	260	0
			Foreman—If any person employed in any of the above capacities has under his control five or more other workers he shall be regarded as a foreman, and paid 1s. per day above the ordinary rate.		
			<i>Gas Producer Units.</i>		
			The following provisions shall apply to drivers of vehicles fitted with Gas Producer Units:—		
			(i) Driver of a motor vehicle fitted and operated with a charcoal gas producer unit for each day or portion thereof upon which he is called upon to drive such vehicle, 1s. extra.		
			(ii) Such driver for each day or portion thereof upon which he is called upon to clean the hopper and/or final filter of such unit, 1s. extra.		

PROPORTION (BY ANY EMPLOYER).
One improver to the first three workers, receiving not less than 260s. per week of 40 hours, and thereafter one additional improver to every ten additional such workers.

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

IMPROVERS	OTHER EMPLOYERS—(continued).	
Wages per Week of 40 Hours.	Wages per Week of 40 Hours.	
	<i>Hay, Corn, or Chaff Stores.</i>	
	Storeman in charge	s. d. 271 0
	Carters driving one, two, or three horses	273 0
	And 6s. extra per week for every additional horse.	
	Drivers of motor vehicles having a carrying capacity—	
	(a) not exceeding 25 cwt.	267 0
	(b) exceeding 25 cwt., but not exceeding 3 tons	273 0
	(c) exceeding 3 tons	279 0
	And if a trailer is attached to a vehicle—1s. 6d. per day extra.	
	All others	265 0
	<i>Wood, Coal, or Coke Yards.</i>	
	Carters driving one, two, or three horses	273 0
	And 6s. extra per week for every additional horse.	
	Drivers of motor vehicles having a carrying capacity—	
	(a) not exceeding 25 cwt.	267 0
	(b) exceeding 25 cwt., but not exceeding 3 tons	273 0
	(c) exceeding 3 tons	279 0
	And if a trailer is attached to a vehicle—1s. 6d. per day extra.	
	All others	264 0
	<i>Gas Producer Units.</i>	
	The following provisions shall apply to drivers of vehicles fitted with gas producer units:—	
	(i) Driver of a motor vehicle fitted and operated with a charcoal gas producer unit for each day or portion thereof upon which he is called upon to drive such vehicle, 1s. extra.	
	(ii) Such driver for each day or portion thereof upon which he is called upon to clean the hopper and/or final filter of such unit, 1s. extra.	

CONDITIONS OF EMPLOYMENT.

3. (i) Except as in this Determination otherwise provided, the ordinary weekly total of hours shall be 40 in number, all to be worked on days other than Sunday.

(ii) Such ordinary weekly total, at the option of the employer, may be spread over five or six days and shall be worked in one period occurring between 7.30 a.m. and 12.30 p.m. on Saturday and between 7.30 a.m. and 5.15 p.m. on other days, subject to the recognized meal hours or intervals and smoke-oh of ten minutes each morning and afternoon, but no other breaks imposed by the employer.

(iii) If a five-day week is worked the ordinary daily total of working hours shall be not more than 8, and if a six-day week is worked such total shall be not more than four on Saturday and not more than eight on any other day.

(iv) Smoke-ohs shall be counted as part of time worked.

OVERTIME, ETC.

4. (a) Except as in this Determination otherwise provided, all time worked in excess of the ordinary weekly or daily hours of work shall be paid 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.

(b) Horse drivers who, in excess of such weekly or daily total hours of work, are required to spend time in taking charge of teams at the yard, camp, or stable, or in returning teams thereto, shall be paid for such time at the ordinary rate.

(c) If an employee is required by his employer to be for any time anywhere only for the purposes of the employer in respect of the business in which the employee is employed, the employee shall be deemed to be on duty for the employer during such time and shall be paid at the appropriate prescribed rate (if any) for so much of such time as is spent in work, and at the ordinary minimum rate for so much of such time as is not so spent.

Provided that this clause shall not apply to any time spent by an employee in the course of going to or coming from any yard, camp, stable, depot or picking-up place of the employer, or in the course of going to a place of the employer, or in the course of going to a place of work for the purpose of starting work, or in the course of coming therefrom after ceasing work.

(d) Employees recalled to work after the expiration of their customary working time for the day, and after they have left work for the day, shall be paid at the least as for working two hours at one and a half times the prescribed rate.

TERMS OF ENGAGEMENT.

5. (a) Subject to exceptions and limitations hereinafter contained any employer shall have the option of engaging any employee either by the week or casually.

(b) (i) If the engagement is by the week it shall be for a continuous period of at least eight weeks, and thereafter shall be terminable on either side by a week's notice which may be made to expire at any time during a week of the employment. Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled in respect of wages for the then current week's employment only to payment proportionate to the aggregate of time worked by him, and of such other previous time (if any) in that week as to which under this Determination no deduction from his week's wages is allowable.

(ii) An engagement shall be deemed to be and to continue casual unless the employer, at the commencement of the engagement or before any change by him of a casual engagement of the employee to one by the week, expressly notifies the employee that he is to be engaged by the week.

Employees on casual engagement shall be paid at the rate of time and a quarter.

(iii) The employer shall have the right to deduct payment for any day upon which the employee cannot be employed usefully because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

(iv) No deduction shall be made from the wages of any employee, other than a pieceworker, unavoidably absent through illness for not more than 40 working hours in each year, i.e., 10 hours for each three months' service, commencing 1st December, 1942, provided he has submitted, within 48 hours of the commencement of such absence, satisfactory evidence to the employer or his representative that same was not the result of his own misconduct.

Provided that where, under any scheme of insurance or an accident relief or provident fund to secure the benefit of which the employer has paid the necessary premium, or under any Workers' Compensation Act, compensation becomes payable for any of such days of absence, the employer shall not be bound to pay more of such wage than is sufficient, with such compensation, to make up the full pay for any such days.

(c) If the full period of sick leave as proscribed in sub-clause (b) (iv) hereof 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 June, 1949, shall be disregarded.

TIME WAGES.

6. Any person employed in a factory or shop on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to one-half the number of hours fixed, at the ordinary wages rate with an addition of thirty-three and a third per centum. For time worked beyond the 20 hours aforesaid, he shall be paid the ordinary wages rate up to, but not exceeding the rate prescribed by this Determination for an ordinary week's work.

CONTRACT WORK.

7. No person shall contract or enter into an agreement with any other person or persons to perform any work connected with the preparation of firewood for sale or for use in any trade or business at a lower rate or price than the appropriate wages rate or piecework price prescribed by this Determination.

SUNDAYS AND HOLIDAYS.

8. (a) Except as herein provided otherwise, if an employee is required to work on a holiday or on a Sunday, he shall be paid at double the ordinary prescribed rate.

(b) If a casual 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 prescribed rate.

(c) In the case of any other employee, other than a pieceworker, engaged by the week no deduction shall be made from his wages for the week because of his not working on a holiday.

(d) The expression "holiday" means any of the following days:—Australia Day, New Year's Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Christmas Day, and Boxing Day, or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays.

PUBLIC HOLIDAYS.

8a. New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Queen's Birthday, Christmas Day and Boxing Day, or any other day by Act of Parliament or Proclamation substituted for any of the said days shall be observed as public holidays.

ANNUAL HOLIDAY.

9. The annual holiday shall be as prescribed by the provisions of the *Labour and Industry Act 1953*, and any amendments which may be made thereto from time to time.

ALLOWANCES.

10. (a) An employee shall have the right to elect whether he shall travel each day to and from the job, or camp at such job. Having so elected, he shall be entitled to the special allowance where applicable, as provided in sub-clauses (b) and (c) hereof.

(b) Employees who, in order to be available for their work, have to live in a camp established either by the employer or employees for the purpose of enabling employees to be so available by living therein, shall be paid a camping allowance of 1s. 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 purpose on that or any other day, whether or not work is done on the said day, but this clause shall not apply to any Sunday, unless the employee is required to work on that Sunday.

(c) An employee who finds it necessary to travel five miles or over to his place of employment shall, unless transport is provided by the employer free of cost to the employee, be paid a travelling allowance of 1s. per day.

TIME RECORD.

11. (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 wage and amounts of wages paid, and shall obtain from week to week the signature of each employee to such record.

(b) The secretary or duly accredited representative of the Federated Fodder and Fuel Trades' Industrial Union authorized in writing to that effect by such secretary shall be allowed, on any day coming two days after a pay day between 10 a.m. and noon, or at such other times as may be agreed upon, to inspect such records so far as may be reasonably necessary to obtain information therefrom relating to any member or members of the said union.

WET WEATHER PROVISIONS.

12. (i) (a) In the event of rain being sufficiently heavy to justify a temporary cessation of work, such work shall cease forthwith and during the cessation of work employees shall hold themselves in readiness for work during ordinary working hours, and shall be paid for the actual time of waiting at ordinary time wages rates of pay.

(b) When weather conditions are suitable employees shall resume work immediately.

(ii) If the employer's representative considers the weather justifying the cessation of work is likely to continue for a lengthy period the payment, as set forth in sub-clause (i), may be discontinued, and employees shall not be bound to hold themselves in readiness for a resumption of work.

Provided that, for any day on which an employee is ready and willing to commence work, he shall be entitled to payment as though he had worked for a minimum of four hours.

(iii) The employer shall provide adequate and suitable shelter from the rain for the employee.

(iv) The employer shall provide adequate facilities for the employee to dry off his wet clothes.

SPECIAL TREATMENT OF INJURED.

13. The employer, as soon as reasonably possible, shall supply means free of charge to convey to the nearest hospital or doctor any employee so seriously injured that it is not reasonably possible for such employee to travel independently of such conveyance.

FIRST-AID AND MEDICAL OUTFIT.

14. The employer shall provide at every main place of employment a first-aid outfit. Such outfit shall consist of at least the following:—Boric acid, iodine, picric acid (bottle solution), 1-in. bandages, lint, cotton, triangle bandages, lysol, permanganate of potash, snake-bite scarifier, splints capable of being used in 12-in. lengths, and one pair of scissors.

ACCOMPANYING SICK OR INJURED EMPLOYEES.

15. 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 nearest hospital. All expenses incurred in such patient's removal shall be paid by the employer, and no employee assisting or accompanying an injured or sick person shall lose any wages by so doing.

PIECEWORK.

16. (a) A schedule of piecework prices (as shown hereunder) to be paid to any person for doing certain kinds of work has been fixed by the Board, and in addition to those prices, when required to do so, pieceworkers shall be paid 3½d. per ton extra to stack tops, or 5½d. per ton extra to stack and burn tops.

(b) The schedule of piecework prices includes a loading to provide for two weeks' annual holiday and to compensate for times lost through sickness (1 week) and for time lost on account of public holidays (10 days).

PIECEWORK PRICES.

Firewood Saw-mills, Mallee Roots, &c..

CUTTING AND STACKING OR CUTTING AND LOADING ON TO VEHICLES—

	By Ton Measurement of 50 Cubic Feet.	Per Standard I.B. Truck Loaded to Water Level i.e., 8 Tons Measurement or 400 Cubic Feet.
6-ft. rate i.e., 6-ft. or over—	<i>s. d.</i>	<i>s. d.</i>
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	14 1	109 3
Red Box, Iron Bark or Red Gum	12 8	102 6
Ti-tree or Mallee Scrub	14 1	..
Common Wood, i.e., all other than those specified above	11 0	85 7
5-ft. rate i.e., 5-ft. and up to, but not including 6-ft.—	<i>s. d.</i>	<i>s. d.</i>
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	14 11	194 4
Red Box, Iron Bark or Red Gum	14 11	194 4
Ti-tree or Mallee Scrub	14 11	..
Common Wood, i.e., all other than those specified above	12 3	160 8
4-ft. rate i.e., 4-ft. and up to, but not including 5-ft.—	<i>s. d.</i>	<i>s. d.</i>
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	15 3	200 11
Red Box, Iron Bark or Red Gum	15 3	200 11
Ti-tree or Mallee Scrub	15 3	..
Common Wood, i.e., all other than those specified above	12 8	167 4
3-ft. rate i.e., 3-ft. and up to, but not including 4-ft.—	<i>s. d.</i>	<i>s. d.</i>
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	17 10	142 4
Red Box, Iron Bark or Red Gum	17 10	142 4
Ti-tree or Mallee Scrub	17 10	..
Common Wood, i.e., all other than those specified above	15 11	127 5
2-ft. rate i.e., 2-ft. and up to, but not including 3-ft.—	<i>s. d.</i>	<i>s. d.</i>
Grey Box, Yellow Box, Murray Box, Belar, Buloke or Sheoke	20 8	166 0
Red Box, Iron Bark or Red Gum	20 8	166 0
Ti-tree or Mallee Scrub	20 8	..
Common Wood, i.e., all other than those specified above	17 10	142 4

Notes.—(i) A cutter shall be entitled to a total measure up of his cut wood at least once a fortnight either—

- (a) at the stump, or
(b) when loaded on a transport vehicle, or
(c) at the place of delivery.

and he shall be paid for such wood on the result of such measure up.

(ii) When wood is cut and not stacked 1s. 9d. per ton less than the above rates.

(iii) Stackers (other than wood cutters) stacking wood in not less than 15 ton lots shall be paid 3s. 8d. per ton.

LOADING VEHICLES 17s. 3d. per truck (Standard I.B.).

LOADING AND STACKING BLOCKS—

If taken off ground within 15 feet of rails and placed in Standard I.B. truck.. 19s. 5d. per truck (Standard I.B.).

TROLLEYING FROM STACK TO BENCH 14s. 11d. per truck (Standard I.B.).

TRUCK LOADING—

Wood, 4 feet to 6 feet inclusive 19s. 5d. per truck (Standard I.B.) loaded to 5 feet.

STACKING WOOD 6 FEET OR OVER ON END—

Taken from Vehicles 8s. 11d. per truck (Standard I.B.).

MILLING (OTHER THAN BY SELF-ACTING BENCH)—

The rate for milling (other than by self-acting bench) shall be 49s. 6d. per truck for 1-ft. wood and 59s. 4d. per truck for 9-inch wood which may be divided as follows:—

Where four men are employed—

	Cutting 1-ft. wood.	Cutting 9-in. wood.
Benching	13s. per truck (Standard I.B.).	16s. 4d. per truck (Standard I.B.).
Lumping	12s. 2d. " "	14s. 4d. " "
Handing up	12s. 2d. " "	14s. 4d. " "
Stacking	12s. 2d. " "	14s. 4d. " "

Benchman to sharpen saws also.

Lumper, hander-up, and stacker to clean up also.

Where three men are employed—

Benching and handing up	17s. 4d. per truck (Standard I.B.).	20s. 4d. per truck (Standard I.B.).
Lumping and handing up	16s. 1d. " "	19s. 6d. " "
Stacking	16s. 1d. " "	19s. 6d. " "

Benchman to sharpen saws also.

Lumper and stacker to clean up also.

Where two men are employed each 24s. 9d. " "

These men also to sharpen saws and clean up.

MILLING BY SELF-ACTING BENCH—

The rate for milling by self acting bench shall be 44s. 4d. per truck for 1-foot wood and 53s. 4d. per truck for 9-inch wood which may be divided as follows:—

Where three men are employed—

	Cutting 1-ft. wood.	Cutting 9-in. wood.
Benching	15s. 8d. per truck (Standard I.B.).	18s. 8d. per truck (Standard I.B.).
Lumping	14s. 4d. " "	17s. 4d. " "
Stacking	14s. 4d. " "	17s. 4d. " "

Benchman to sharpen saws also.

Lumper and stacker also to clean up.

Where two men are employed—

Benching and lumping	23s. 8d. " "	29s. 2d. " "
Stacking	20s. 8d. " "	24s. 2d. " "

Benchman to sharpen saws also.

Stacker to clean up also.

Where one man is employed 44s. 4d. " "

This man also to sharpen saws and clean up.

MALLEE ROOTS—

	By Weight.	By Measurement.
	per ton.	per ton.
	s. d.	s. d.
(a) Raising or digging out	14 1	10 6
(b) Cleaning or trimming	14 1	10 6
(c) Loading on to vehicles	8 1	6 0

NOTE.—To the weekly earnings of each pieceworker shall be added the sum of seven shillings. Where less than 40 hours are worked in any week by any pieceworker, a proportionate amount of such sum of seven shillings shall be added in lieu thereof.

Part 2.—Persons employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.

17. IMPROVERS.			OTHER EMPLOYEES.	
Wages per Week of 40 Hours.			Wages per Week of 40 Hours.	
	Percent- age of Basic Wage.	s. d.		s. d.
Under 17 years of age	70	165 0	Wood cutters, using axe, power crosscut, circular saw, or other method	273 0
17 years of age	81	191 0	Carters driving one, two, or three horses	273 0
18 years of age	97	229 0	And 6s. extra per week for every additional horse in excess of three.	
19 years of age or over—the appropriate rate prescribed under the heading "other employees."			Drivers of motor vehicles having a carrying capacity—	
			(a) not exceeding 25 cwt.	267 0
			(b) exceeding 25 cwt. but not exceeding 3 tons	273 0
			(c) exceeding 3 tons but not exceeding 6 tons	279 0
			(d) Further tonnage—for each complete ton over 5, an extra 1s. per week.	
			And if a trailer is attached to the vehicle—1s. 6d. per day extra.	
			Gas Producer Units.	
			The following provision shall apply to drivers of vehicles fitted with gas producer units—	
			(i) Driver of a motor vehicle fitted and operated with a charcoal gas producer unit for each day or portion thereof upon which he is called upon to drive such vehicle, 1s. extra.	
			(ii) Such driver for each day or portion thereof upon which he is called upon to clean the hopper and/or final filter of such unit, 1s. extra.	
			Charcoal burning by retorts, metal or brick kilns, or pits—	
			(a) Operator in charge of plant	288 0
			(b) All other employees, including persons employed in emptying, bagging, sewing, stacking, or loading	278 0
			Grinding or grading charcoal—	
			(a) Attendant in charge of plant—	
			(i) With four or more persons under his supervision	298 0
			(ii) With three or fewer persons under his supervision	294 0
			(b) All other persons, including those engaged in grinding, grading, or bagging charcoal or sewing bags	288 0

PROPORTION (BY ANY EMPLOYER).

One improver to the first three workers, receiving not less than 273s. per week of 40 hours and thereafter one additional improver to every ten additional such workers.

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

CONDITIONS OF EMPLOYMENT.

18. (i) Except as in this Determination otherwise provided, the ordinary weekly total of hours shall be 40 in number, all to be worked on days other than Sunday.

(ii) (a) Such ordinary weekly total, at the option of the employer, may be spread over five or six days and, except on shift work, shall be worked in one period occurring between 7.30 a.m. and 12.30 p.m. on Saturday and between 7.30 a.m. and 5.15 p.m. on other days, subject to the recognized meal hours or intervals and smoke-oh of ten minutes each morning and afternoon, but no other breaks imposed by the employer.

(b) If a five-day week is worked the ordinary daily total of working hours shall be not more than 8, and if a six-day week is worked such total shall be not more than four on Saturday and not more than eight on any other day.

(iii) 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 subject only to the following conditions:—

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

(b) In each shift during which the employee does not receive the same amount of time for a meal interval or smoke-oh as that which day workers receive under this Determination he shall be paid at ordinary rates for twenty minutes' crib time and two smoke-ohs of ten minutes each.

(c) Where a shift comprises within its period any time between 7 p.m. and 6 a.m. the whole of the time worked during the shift shall be paid for at ordinary rate plus $7\frac{1}{2}$ per cent.

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

(iv) Smoke-ohs shall be counted as part of time worked.

OVERTIME, ETC.

19. (a) Except as in this Determination otherwise provided, all time worked in excess of the ordinary weekly or daily hours of work shall be paid 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.

(b) Horse drivers who, in excess of such weekly or daily total hours of work, are required to spend time in taking charge of teams at the yard, camp, or stable, or in returning teams thereto, shall be paid for such time at the ordinary rate.

(c) If an employee is required by his employer to be for any time anywhere only for the purposes of the employer in respect of the business in which the employee is employed, the employee shall be deemed to be on duty for the employer during such time, and shall be paid at the appropriate prescribed rate (if any) for so much of such time as is spent in work, and at the ordinary minimum rate for so much of such time as is not so spent.

Provided that this clause shall not apply to any time spent by an employee in the course of going to or coming from any yard, camp, stable, depot or picking-up place of the employer, or in the course of going to a place of the employer, or in the course of going to a place of work for the purpose of starting work, or in the course of coming therefrom after ceasing work.

(d) Employees recalled to work after the expiration of their customary working time for the day, and after they have left work for the day, shall be paid at the least as for working two hours at one and a half times the prescribed rate.

TERMS OF ENGAGEMENT.

20. (a) Subject to exceptions and limitations hereinafter contained any employer shall have the option of engaging any employee either by the week or casually.

(b) (i) If the engagement is by the week it shall be for a continuous period of at least eight weeks, and thereafter shall be terminable on either side by a week's notice which may be made to expire at any time during a week of the employment. Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled in respect of wages for the then current week's employment, only to payment proportionate to the aggregate of time worked by him, and of such other previous time (if any) in that week as to which under this Determination no deduction from his week's wages is allowable.

(ii) An engagement shall be deemed to be and to continue casual unless the employer, at the commencement of the engagement or before any change by him of a casual engagement of the employee to one by the week, expressly notifies the employee that he is to be engaged by the week.

Employees on casual engagement shall be paid at the rate of time and a quarter.

(iii) The employer shall have the right to deduct payment for any day upon which the employee cannot be employed usefully because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

(iv) No deduction shall be made from the wages of any employee unavoidably absent through illness for not more than 40 working hours in each year, i.e., 10 hours for each three months' service, commencing 1st December, 1941, provided he has submitted, within 48 hours of the commencement of such absence, satisfactory evidence to the employer or his representative that same was not the result of his own misconduct.

Provided that where, under any scheme of insurance or an accident relief or provident fund to secure the benefit of which the employer has paid the necessary premium, or under any Workers' Compensation Act, compensation becomes payable for any of such days of absence, the employer shall not be bound to pay more of such wage than is sufficient, with such compensation, to make up the full pay for any such days.

(c) If the full period of sick leave as prescribed in sub-clause (b) (iv) hereof 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 June, 1949, shall be disregarded.

SUNDAYS AND HOLIDAYS.

21. (a) Except as herein provided otherwise, if an employee is required to work on a holiday or on a Sunday, he shall be paid at double the ordinary prescribed rate.

(b) If a casual 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 prescribed rate.

(c) In the case of any other employee engaged by the week no deduction shall be made from his wages for the week because of his not working on a holiday.

(d) The expression "holiday" means any of the following days:—Australia Day, New Year's Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Christmas Day and Boxing Day, or day or days substituted by Act of Parliament or Proclamation in lieu of such public holidays.

PUBLIC HOLIDAYS.

21a. New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Queen's Birthday, Christmas Day and Boxing Day, or any other day by Act of Parliament or Proclamation substituted for any of the said days shall be observed as public holidays.

ANNUAL HOLIDAY.

22. The annual holiday shall be as prescribed by the provisions of the *Labour and Industry Act 1953*, and any amendments which may be made thereto from time to time.

ALLOWANCES.

23. Employees who, in order to be available for their work, have to live in a camp established either by the employer or employees for the purpose of enabling employees to be so available by living therein, shall be paid a camping allowance of 1s. 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 purpose on that or any other day, whether or not work is done on the said day, but this clause shall not apply to any Sunday, unless the employee is required to work on that Sunday.

WASHING FACILITIES.

24. Each employer shall provide for all the employees suitable washing troughs or other conveniences, which shall be approved by the Secretary for Labour and Industry or his Inspector.

TIME RECORD.

25. (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 wage and amounts of wages paid, and shall obtain from week to week the signature of each employee to such record.

(b) The secretary or duly accredited representative of the Federated Fodder and Fuel Trades' Industrial Union authorized in writing to that effect by such secretary shall be allowed, on any day coming two days after a pay day between 10 a.m. and noon, or at such other times as may be agreed upon, to inspect such records so far as may be reasonably necessary to obtain information therefrom relating to any member or members of the said union.

WET WEATHER PROVISIONS.

26. (i) (a) In the event of rain being sufficiently heavy to justify a temporary cessation of work, such work shall cease forthwith and during the cessation of work employees shall hold themselves in readiness for work during ordinary working hours, and shall be paid for the actual time of waiting at ordinary time wages rates of pay.

(b) When weather conditions are suitable employees shall resume work immediately.

(ii) If the employer's representative considers the weather justifying the cessation of work is likely to continue for a lengthy period the payment, as set forth in sub-clause (i), may be discontinued, and employees shall not be bound to hold themselves in readiness for a resumption of work.

Provided that, for any day on which an employee is ready and willing to commence work, he shall be entitled to payment as though he had worked for a minimum of four hours.

(iii) The employer shall provide adequate and suitable shelter from the rain for the employee.

(iv) The employer shall provide adequate facilities for the employee to dry off his wet clothes.

SPECIAL TREATMENT OF INJURED.

27. The employer, as soon as reasonably possible, shall supply means free of charge to convey to the nearest hospital or doctor any employee so seriously injured that it is not reasonably possible for such employee to travel independently of such conveyance.

FIRST-AID AND MEDICAL OUTFIT.

28. The employer shall provide at every main place of employment a first-aid-outfit. Such outfit shall consist of at least the following:—Boric acid, iodine picric acid (bottle solution), 1-in. bandages, lint, cotton, triangle bandages, lysol, permanganate of potash, snake-bite scarifier, splints capable of being used in 12-in. lengths, and one pair of scissors.

SHELTER.

29. The employer shall provide adequate and suitable shelter, with seating accommodation for employees.

SANITATION.

30. In every camp where the pan system is not in use, the employer shall instal sanitary conveniences, and provide attention hereto. Where no camp is established, practicable and reasonable temporary provision shall be made by the employer.

ACCOMPANYING SICK OR INJURED EMPLOYEES.

31. 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 nearest hospital. All expenses incurred in such patient's removal shall be paid by the employer, and no employee assisting or accompanying an injured or sick person shall lose any wages by so doing.

CHARCOAL BURNING.

32. (i) The lowest prices to be paid to any person employed burning charcoal from wood which has to be transported not more than half a mile to the retort or kiln in which it is to be burned shall be those prescribed in the following schedule, viz.:—

	Price per Ton of Charcoal.	
	(a) Where more than 50 per cent. of the wood used has to be felled.	(b) In circumstances other than (a).
	s. d.	s. d.
Grey box, red box, red gum, or ironbark	123 7	112 11
Any other variety of wood	133 6	118 2

The above prices shall include all necessary cutting, cartage to the retort or kiln, filling and sewing of bags, and the adequate provision by the employee of food for any horse which is being used in connexion with the work.

The above prices include a loading to provide for two week's annual holiday and to compensate for time lost through sickness (1 week) and for time lost on account of public holidays (10 days).

(ii) If the wood to be burned is situated more than half a mile from the retort or kiln, 3s. extra per ton of charcoal shall be paid for each extra half mile or portion thereof.

(iii) The employer shall supply, free of charge, all tools, vehicles, and equipment necessary.

NOTE.—To the weekly earnings of each pieceworker shall be added the sum of seven shillings. Where less than 40 hours are worked in any week by any pieceworker, a proportionate amount of such sum of seven shillings shall be added in lieu thereof.

Part 3.—All persons to whom this Determination applies.

PERIODICAL ADJUSTMENT OF WAGES.

33. The wages rates for adults set out in clauses 2 and 17 are based upon the following basic wage and, pursuant to the provisions of Section 33 of the *Labour and Industry Act* 1953, the Board hereby determines that such rates and the weekly earnings of pieceworkers shall be automatically adjusted as prescribed by clause 34.

Provided that, where a pieceworker works less than 40 hours in any week, the sum to be added to or subtracted from his earnings shall be varied proportionately.

Basic Wage.

Place.	Basic Wage Adjustable.	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	11 16 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

34. (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 November, 1954, the amount of the basic wage shall be as prescribed in clause 33.

(c) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, 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 improvers shall be the appropriate percentages as set out in clauses 2 and 17; such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. V. WILLOX, Secretary.

Melbourne, 16th August, 1954.