



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 638]

FRIDAY, OCTOBER 7.

[1955

Labour and Industry Act 1953.

DETERMINATION OF THE ASBESTOS-CEMENT WORKERS BOARD.

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

(b) On the 27th November, 1934, the Cement Articles Board was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons, or classes of persons, employed in the process, trade, or business of making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material, and such power was conferred exclusively on the Asbestos-Cement Workers Board.

IN accordance with the provisions of the *Labour and Industry Act 1953*, the Wages Board which since 24th April, 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 :—

employed in the process, trade, or business of making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material; has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 25th June, 1955, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(a) WAGES.

Apprentices or Improvers.			Other Employees.	
	Per Week of 40 Hours.			Wages.
	Percentage of Basic Wage.	Wages.		Per Week of 40 Hours.
		s. d.		s. d.
16 and under 17 years of age	50	118 6	Wet sheet machine leading hand ..	270 0
17 and under 18 years of age	58	137 6	Wet sheet machine operator ..	266 0
18 and under 19 years of age	70	166 0	Mixer operator—in sole charge of Tide mill	266 0
19 and under 20 years of age	86	204 0	Mixer operator—other	263 0
20 and under 21 years of age	100+2s.	239 0	Asbestos treatment operator ..	265 0
			Cutter-off in charge	270 0
			Cutter-off	262 6
			Platemaster or stacker	263 0
			Corrugating machine operator ..	263 0
			Hand corrugator	261 6
			Wet trimmer (Power guillotine only)	263 0
			Leading hand in charge of dry trimming	270 0
			Dry trimmer—operating power cutting machine	263 0
			Accessories hand moulder—welded or grafted mouldings	265 0
			Accessories hand moulder—plain mouldings	263 0

No apprentices or improvers under the age of sixteen years to be engaged.

WAGES—continued.

Apprentices or Improvers.	Other Employees.	
		Wages. Per Week of 40 Hours.
		s. d.
PROPORTION (IN ANY PLACE).	Operator cement bulk handling	265 0
<i>Apprentices and Improvers.</i>	Pipe machine leading hand	274 0
Two apprentices or improvers to every three or fraction	Mazza machine control operator	265 0
of three workers receiving not less than the rate prescribed	Pressure pipe curing tank hand	262 6
for the classification "All others".	Operator pressure pipe turning and socket	
	boring machine	262 6
	Operator pressure pipe turning and socket	
	boring machine (who sets up machine) ..	267 6
	Pressure pipe socket fitter	262 6
	All others	260 0

(b) An employee appointed as a leading hand or an employee temporarily in charge of three or more men shall be paid the rate herein prescribed for the class of work done, plus an allowance at the rate of 10s. per week, or the rate herein prescribed for his ordinary duties, whichever is the higher.

HOURS OF EMPLOYMENT.

Day Workers.

3. The hours of employment shall be 40 per week to be worked in five days. The commencing and finishing times once having been determined shall be alterable only by agreement, or by the employer giving the employees at least seven days' notice of the alteration.

Shift Workers.

- (i) The ordinary hours of a shift shall be eight, inclusive of 20 minutes for a meal break.
- (ii) Shift workers whilst on afternoon or night shift shall be paid ten per cent more than ordinary rates for such shifts. Provided that an employee who is specifically required by his employer to work on a night shift which does not rotate with some other shift or with day work so as to give him at least one quarter of his working time off night shift, shall be paid at the rate of time and a quarter for the ordinary working hours on such night shifts. Where it is mutually agreed between employer and employees to commence work earlier than midnight, as starting time for the night shift, work done between such commencing time and midnight shall be regarded as work done on the following day, and shall be paid for at the rate applying to that day's work.
- (iii) Shift rosters shall specify the commencing and finishing times of the ordinary working hours of the respective shifts. These times once having been determined may be varied by agreement between the employer and the majority of the men concerned or failing agreement, by seven days' notice given by the employer to the men concerned.
- (iv) "Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.
- "Night shift" means any shift finishing after midnight and at or before 9 a.m.

OVERTIME.

4. Time and a half for the first four hours and double time thereafter shall be paid for all work done:—

- (a) outside the usual starting and finishing times;
- (b) within the usual starting and finishing times and in excess of 8 hours per day. Provided that where an employee is late for work he shall not be entitled to be paid at overtime rates until he has worked 8 hours for that day.

WEEKLY EMPLOYMENT.

5. (a) Employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases the wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot usefully be employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

EMPLOYMENT FOR LESS THAN A FULL WEEK.

6. Employees who work during any week for less than 40 hours shall be paid for the first 20 hours at the rate of time and a quarter and for all time thereafter ordinary time up to but not exceeding the ordinary wages rate for an ordinary week's work. Provided that an employee shall be paid only for the time actually worked in any week the ordinary rate of wages where—

- (a) he voluntarily terminates his employment,
- (b) he is dismissed for misconduct or neglect of duty,
- (c) he voluntarily absents himself for any part of such week,
- (d) he attends but is not capable of satisfactorily carrying out his duties,
- (e) he commences, what is intended to be continuous employment, after the beginning of the normal working week.

This clause shall not apply in the case of a shiftworker who, subject to clause 4, is paid three weeks' wages in respect of three consecutive weeks' work; nor in the event of any breakdown of machinery or plant which prevents the continuation of production.

HOLIDAYS.

7. All employees shall be entitled to the holidays hereinafter mentioned without any deduction from the weekly rate of pay viz.:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, 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 then this condition shall apply only for the day so substituted.

This shall not affect the right of an employer to require any employee to work on any such day (except Anzac Day) provided that such employee is paid the extra rates as set out in clause 8; an employee who, without permission from the employer, is absent on the working day immediately preceding such holiday or who likewise fails to resume work on the working day immediately following such holiday shall not be entitled to such payment.

SPECIAL RATE FOR SUNDAYS AND HOLIDAYS.

8. Double time shall be the special rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, 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 then the special rate shall be payable only for the day so substituted.

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.

MEAL ALLOWANCE.

10. A meal allowance of 3s. 6d. shall be paid to an employee in respect of any day on which he is required to work for a period of not less than two hours after the usual finishing time, unless he is notified by the employer on the previous day that he will be required to work such extra time.

SICK LEAVE.

11. (a) Where an employee has been in the service of an employer for a period of not less than three months, and is disabled by personal ill health, proof of which sickness is given to the employer by the production of a certificate from a legally qualified Medical Practitioner, statutory declaration, or other satisfactory evidence, within 48 hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay at ordinary rates to absent himself from work for a period not exceeding in the aggregate 40 hours of working time in any year of employment in the industry.

(b) Notwithstanding anything contained in sub-clause (a) hereof, if the full period of sick leave as prescribed herein 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.

(c) For the purpose of this clause the year shall be deemed to commence on July 1st, (beginning on July 1st, 1946) and to end on the next following June 30th, and for the purpose of sub-clause (b) hereof service prior to 1st July, 1946, shall be disregarded.

PERIODICAL ADJUSTMENT OF WAGES.

12. The wages rates for adults set out in clause 2 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 shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed by clause 13.

BASIC WAGE.

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

ADJUSTMENT OF BASIC WAGE.

13. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in August, 1955, the amount of the basic wage shall be as prescribed in clause 12.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying 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 adjustable weekly rates of apprentices and improvers shall be the appropriate percentages as set out in clause 2, such rates shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

A. V. BARNE, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 10th June, 1955.

