SECOND SUPPLEMENT

TO THE

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VICTORIAN RAILWAYS.

# REGULATION No. 41.

THE VICTORIAN RAILWAYS COMMISSIONERS, in pursuance of the powers conferred upon them by the Railways Acts, do hereby make the following Regulation in regard to the classification of the duties, the promotion, and the wages, allowances, and expenses of Engine-drivers, Firemen, and Cleaners, and do hereby repeal and revoke all previous Regulations, instructions, and practices in relation thereto :—

WAGES FOR AND CLASSIFICATION OF ENGINE-DRIVERS AND FIREMEN.

CLAUSE 1 (*a*).

| Class. | Service. | Rate of Pay per Day for Drivers. | Rate of Pay per Day for Firemen. |
|---|---|---|---|
| | | s. d. | s. d. |
| (1) | Country passenger ... ... ... ... | 14 0 | 9 0 |
| (2) | Suburban passenger, 1st grade ... ... ... | 13 0 | 8 6 |
| (3) | Mixed ... ... ... ... ... ... | 13 0 | 8 6 |
| (4) | Specified branch line and cross-country runs ... | From 11 0 to 13 0 | From 8 0 to 8 6 |
| (5) | Specified suburban, 2nd grade ... ... | From 11 0 to 13 0 | From 8 0 to 8 6 |
| (6) | Goods work and switching— | | |
| | 1st grade ... ... ... ... ... | 12 0 | 8 0 |
| | 2nd grade ... ... ... ... ... | 313 days' driving at 11s. | 313 days' firing at 7s. 6d. |

(*b*) Unless otherwise determined by the Chief Mechanical Engineer, Engine-men on regular country passenger and mixed runs will be allowed time as specified hereunder, unless time at eight hours per day will give them more, in which event time will be allowed them on that basis :—

| | |
|---|---|
| Up to and inclusive of 120 miles ... ... ... ... | 1 day |
| Over 120 and up to and inclusive of 135 miles ... ... | $1\frac{1}{8}$ days |
| Over 135 and up to and inclusive of 150 miles ... ... | $1\frac{1}{4}$ days |
| Over 150 and up to and inclusive of 165 miles ... ... | $1\frac{3}{8}$ days |
| Over 165 and up to and inclusive of 180 miles ... ... | $1\frac{1}{2}$ days |
| Over 180 and up to and inclusive of 195 miles ... ... | $1\frac{5}{8}$ days |
| Over 195 and up to and inclusive of 210 miles ... ... | $1\frac{3}{4}$ days |
| Over 210 and up to and inclusive of 225 miles ... ... | $1\frac{7}{8}$ days |
| Over 225 and up to and inclusive of 240 miles ... ... | 2 days |
| Over 240 and up to and inclusive of 255 miles ... ... | $2\frac{1}{8}$ days |
| Over 255 and up to and inclusive of 270 miles ... ... | $2\frac{1}{4}$ days |

*Clause* 2.

| | Age. Years. | Rate per day of 8 hours. |
|---|---|---|
| Wages for Cleaners ... ... | 19 | 4s. |
| | 20 | 5s. |
| | 21 to 25 inclusive | 6s. |

Broken shifts may be arranged by and at the discretion of the Chief Mechanical Engineer.

*Clause* 3.—The respective rates of wages per day payable to Engine-men in the 4th and 5th classes will, from time to time, be fixed by the Chief Mechanical Engineer for each specified branch line, cross-country, and second-grade suburban run, having regard to the mileage made, the hours on duty and away from home station, the relative importance of the service, and the other conditions affecting each run.

*Clause* 4.—Drivers and Firemen will be paid at the rates fixed for the respective classes they are allotted to, without regard to the character of the driving or firing respectively performed. Drivers put back firing will be paid at the highest rate for Fireman, and Firemen put back cleaning will be paid at the highest rate for Cleaners. Firemen driving will be paid at the lowest rate for Drivers, and Cleaners firing will be paid at the lowest rate for Firemen.

*Clause* 5.—(*a*) Unless otherwise determined by the Chief Mechanical Engineer, eight hours shall constitute a day for Engine-men, and will count from the time at which the train is due to leave until the time of arrival at the destination. Time for Engine-men in switching service will count from the time at which the engine is ordered to start work until it stops working. Broken shifts may be arranged by and at the discretion of the Chief Mechanical Engineer. No time or mileage will be allowed for getting the engine ready and putting it on the train, or for putting it away at the end of the run, or after switching or other traffic work has been completed.

(*b*) The number of days Engine-men shall be paid for in each month will be computed by dividing the total number of hours allowed each for that month by eight.

(*c*) The number of Engine-men allotted to each class will, as far as practicable, be so regulated that they will average not less than the full number of working days per month.

(*d*) Except in the case of men assigned to regular runs, the number of days worked by the Engine-men in each class will, as far as practicable, be equalized among them by giving short shifts to men who have worked long shifts, and *vice versâ*, and by booking off duty in either the same or the following month the men who have worked more than the full number of working days in the month. Time not so booked off will be paid for.

*Clause* 6.—Engine-men must report for duty such time before their train is due to leave as may be prescribed by the Chief Mechanical Engineer at each point as that required to get their engines ready and on to the train.

*Clause* 7.—(*a*) Unless otherwise determined by the Chief Mechanical Engineer, Engine-men on specified branch line, cross-country, and second-grade suburban runs, required to remain in charge of engines at terminal points, or to switch, will not be allowed any pay while so in charge, or while so engaged in switching.

(*b*) In the case of other runs, unless otherwise determined by the Chief Mechanical Engineer, Engine-men required to remain in charge of engines at terminal points, or to switch, will be allowed full pay while so in charge, or while so engaged in switching.

(*c*) Unless otherwise determined by the Chief Mechanical Engineer, Engine-men on specified branch line, cross-country, and second grade suburban runs, booked off duty away from home station, will not be allowed any pay while so booked off.

(*d*) In the case of other runs, unless otherwise determined by the Chief Mechanical Engineer, Engine-men booked off duty away from their home station will be allowed half pay while so booked off, unless such allowance will give them more than the equivalent of eight hours at full pay while away from their home station, in which event only sufficient time (if any) at half pay will be allowed while so booked off to make up the equivalent to such eight hours at full pay.

*Clause* 8.—Engine-men required to report for duty whose services may not be utilized will be allowed half pay from the time at which the train for which they were booked was due to leave until notified that they are not required, with a minimum of three hours at half pay.

*Clause* 9.—Engine-men travelling as passengers on duty will be paid actual time travelling at half pay.

*Clause* 10.—Drivers transferred for Departmental purposes will be allowed a fixed period at the driving rate to learn the roads and signals on the lines radiating from their new depôt, such periods to be fixed by the Chief Mechanical Engineer, according to the mileage and character of such lines.

*Clause* 11.—(*a*) Engine-men required on Departmental business other than in connexion with their ordinary avocation will be allowed actual time up to eight hours at full pay for each complete day so engaged.

(*b*) Engine-men suspended during the investigation of charges against them who are found to be blameless will be allowed one day at full pay for each day of suspension.

*Clause* 12.—(*a*) Unless otherwise determined by the Chief Mechanical Engineer, Engine-men will be allowed expenses when away from home station and not under pay (either full or half pay) as follows:—Meal, 1s.; bed (unless free sleeping accommodation is provided), 1s. 6d.

(*b*) Employés transferred from their home station for relieving purposes, will be allowed expenses as follows:—

Four and sixpence per day, unless more than four days at new head-quarters, when the allowance will be Three shillings per day. Expenses up to four weeks only will be allowed at one station, unless the special approval of the Chief Mechanical Engineer be obtained for the continuance of the expenses after that period has elapsed.

(*c*) Employés transferred for Departmental purposes will be allowed reasonable time for removing as may be determined by the Chief Mechanical Engineer, also any reasonable expenses incurred, for which vouchers must be produced.

*Clause* 13.—(*a*) The number of men allotted to each class will be the number which the Chief Mechanical Engineer may from time to time determine as necessary to perform the service in that class.

(*b*) In the event of a shortage or surplus of men in any class by reason of an increase, reduction, or alteration in the train service, change in runs, or other cause, the number of men in that class may be increased or reduced as per clause 14.

*Clause* 14.—(*a*) Promotion for Engine-men shall be from the 6th to the 5th, and so on, up to the 1st class; the promotion for first-class Firemen shall be to the lowest grade of Driver, and that of Cleaner to the lowest grade of Firemen. Engine-men will not be eligible for promotion from the 6th to the 5th class until they have worked 313 days in goods, mixed, or passenger service.

(*b*) Allotment, promotion, and reduction shall be governed by relative merit, ability, suitability, and past record, of which the Chief Mechanical Engineer shall be the judge. Everything else being equal the senior man will be allotted, promoted, or, when practicable, given choice of runs in his class. In case of reduction, everything else being equal, the junior man will be reduced.

(*c*) The relative seniority of Cleaners will be determined according to the date of entering the service as such, except that a Fitter who has worked six months as a Cleaner, or at equivalent work, will rank with Cleaners for promotion to Firemen, according to the time worked as such and as a Fitter. Other locomotive workshop employés going cleaning for the purpose of promotion to Firemen will be credited with one-half of the time worked in the shop, up to two years. Men entering the service on the same day and date shall ballot for precedence.

The relative seniority of Engine-drivers and Firemen respectively in each class will be determined according to date of allotment to such.

(*d*) Any man who may elect not to take promotion, or who may at the time be debarred from promotion, will thereupon and thereafter rank junior to the man or men promoted over him, but he will not thereby lose his right to subsequent promotion.

*Clause* 15.—Cleaners, before being put out firing, will be required to pass a simple examination as to their knowledge of the engine, regulations, and signals, and after 313 days firing, will be required to pass a further examination before being classified as Firemen, until when they will be considered as Acting Firemen only. Firemen will also be required to pass an examination before being classified or allowed out as Drivers.

*Clause* 16.—Drivers in charge of two or more engines at out-stations will be allowed One shilling per day extra while so in charge.

Notwithstanding anything herein contained, the operation and administration of this Regulation shall, in all respects, be subject to the Commissioners.

In Witness whereof the Common Seal of the Victorian Railways Commissioners was affixed hereto this seventh day of July, One thousand nine hundred and three, in the presence of—

THOS. TAIT, Chairman.

W. FITZPATRICK, Commissioner.

C. HUDSON, Commissioner.

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Confirmed by the Governor in Council the 10th July, 1903.

THOS. BRISBANE,
Clerk of the Executive Council.

VICTORIAN RAILWAYS.

# REGULATION No. 42.

THE VICTORIAN RAILWAYS COMMISSIONERS, in pursuance of the powers conferred upon them by the Railways Acts and the *Railways Employés' Strike Act* 1903, do hereby make the following Regulation prescribing :—

(1) The principles which shall be observed in determining the qualifications of persons who were engaged under or in pursuance of a notification signed and issued by Commissioner W. Fitzpatrick on the eighth day of May, One thousand nine hundred and three, inviting applications for the positions of Engine-drivers and Firemen ;

(2) The method of future employment, promotion, and relative seniority of such persons ;

(3) The method of promotion and relative seniority of Engine-drivers, Firemen, and Cleaners, who, throughout the strike, remained loyal to the Department ;

(4) The conditions and restrictions under which striker Engine-drivers, Firemen, and Cleaners may be reinstated and re-employed.

Persons engaged during the strike, pursuant to the notification of 8th May, 1903, shall be at once examined as to their education, hearing, colour-sense, vision, physical condition, and knowledge of the locomotive, and of locomotive running. The examination as to education shall be the examination usually adopted for candidates for employment; and the examinations for hearing, colour-sense, and vision, and also as to physical condition, shall be the respective examinations usually adopted for men already in the Service. The age limit usually imposed in connexion with the appointment of additional employés shall not apply to such men, nor shall they be required to pay any fees for such examinations.

Any of such men as may be adjudged after such examinations as qualified for service as Engine-drivers shall thereupon be employed as such in the highest class for which they may respectively be found to be competent, and shall rank senior to all striker Engine drivers in that class ; and any of such men as qualify for service as Firemen only, shall thereupon be employed as such in the highest class for which they may respectively be found to be competent, and shall rank senior to all striker Firemen in that class. Any of such men who fail to qualify for the position of either Engine-drivers or Firemen, and who may be adjudged competent, shall thereupon be employed as Cleaners, and shall be paid at the maximum rate for Cleaners, and shall rank senior to all striker Cleaners. Any of such men who fail to qualify for service as either Engine-drivers, Firemen, or Cleaners shall be employed in such positions as they may respectively be adjudged competent to fill, and shall be paid at the maximum pay of such positions. If from time to time prior to 1st December, 1903, any of such Engine-drivers, Firemen, or Cleaners qualify for higher service than that class in which they may respectively be employed, they shall thereupon be promoted to such higher service, and rank senior to all strikers employed in the class to which they shall be so promoted.

With the exception of strikers referred to in the following sub-clauses, viz.:—

"A." Engine drivers and Firemen respectively who at the time of the strike were members of the executive of the Locomotive Engine-drivers' and Firemen's Association ;

"B." Engine-drivers, Firemen, and Cleaners respectively whose actions in connexion with or during the progress of the strike have been adjudged such as to preclude them from reinstatement or re-employment : and

"C." Engine-drivers, Firemen, and Cleaners respectively who, in the interests of the department, and in consequence of their having become strikers, and of the employment of men pursuant to the notification of 8th May, 1903, and the reduction of the train service, will be precluded from re-employment and reinstatement.

All other strikers, or so many of such whose services can be profitably utilized, may be reinstated and re-employed, but shall be reduced in class as may be deemed necessary, with the reservation that the men who have been adjudged to have committed irregularities in connexion with the strike, but not sufficiently grave as to preclude them from reinstatement and re-employment, shall only be reinstated and re-employed in capacities junior to, and after preference has been accorded to other striker Engine-drivers and Firemen respectively, who may be reinstated and re-employed, and who possess equally good records.

Surplus Engine drivers shall be reduced to Firemen, and surplus Firemen shall be reduced to Cleaners, unless such will create more Cleaners than are required, in which event, and to that extent, neither Firemen nor Cleaners shall be re-employed until required.

Reductions in class and rate of pay shall be made so that the number of Engine-drivers, Firemen, and Cleaners respectively—including the new men—allotted in each class shall be the number which the Chief Mechanical Engineer may from time to time determine as required to perform the service in that class, and the rate of pay payable to such Engine drivers, Firemen, and Cleaners shall be as may be respectively fixed for the allotted services.

In making the reduction in the class and rate of pay of strikers, and in determining the Firemen and Cleaners who shall not be reinstated and re-employed as Cleaners (owing to surplus of Cleaners) consideration shall be given to the relative seniority before the strike. The men engaged pursuant to the notification of 8th May, 1903, shall not be reduced on account of any surplus of Engine-drivers, Firemen, or Cleaners prior to 1st December, 1903.

On 1st December, 1903, a list showing the class, rate of pay, and relative seniority of all Engine-drivers, Firemen, and Cleaners respectively, shall be compiled in accordance with this Regulation, and thereafter the men engaged pursuant to the notification of 8th May, 1903, shall be governed by the ordinary Regulations as to examinations, promotions, &c. On such list the men engaged pursuant to the notification of 8th May, 1903, and allotted in each class, shall rank senior to such of the strikers as may be re-employed in that class.

The relative seniority of men engaged on the same day and date pursuant to the notification of 8th May, 1903, and who qualify concurrently for the same service shall be determined by ballot.

The Engine-drivers, Firemen, and Cleaners who remained loyal throughout the strike shall be promoted to the highest class which they are, on or before 1st December, 1903, qualified for, and shall receive the rate of pay attached to such class, and rank senior to all men employed therein.

The reinstatement and re-employment of such of the strikers as may be reinstated and re-employed, shall not be regarded as entitling each or any of them to a restitution in whole or in part of any rights to the future payment of a gratuity, compensation, superannuation, or retiring allowance which each, or any of them, may have been entitled to by reason of his or their employment as an officer or employé of the Railway Department prior to the strike.

The employment of the men engaged pursuant to the notification of 8th May, 1903, and the reinstatement and re-employment of such of the strikers as may be reinstated and re-employed, shall not entitle either or any of them to employment or reinstatement and re-employment in permanent positions, until such time as their employment or reinstatement and re-employment (as the case may be) shall be specifically sanctioned by the Governor in Council. In the meantime, and thereafter, the employment of the men engaged, pursuant to the notification of 8th May, 1903, and the reinstatement and re-employment of strikers shall in all respects be subject to, and shall be governed by, the provisions of this Regulation, and the provisions and the respective rates of pay, as embodied in Regulation No. 41, irrespective of the conditions and the respective rates of pay which prevailed at the time of and during the currency of the strike, and these Regulations, Nos. 41 and 42, shall, in the meantime, and thereafter, apply to and govern the employment of all Engine-drivers, Firemen, and Cleaners.

In Witness whereof the Common Seal of the Victorian Railways Commissioners was affixed hereto this eventh day of July, One thousand nine hundred and three, in the presence of—

THOS. TAIT, Chairman.

W. FITZPATRICK, Commissioner.

C. HUDSON, Commissioner.

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Confirmed by the Governor in Council the 10th July, 1903.

THOS. BRISBANE,
Clerk of the Executive Council.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.