



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 202]

SATURDAY, AUGUST 28.

[1937

Factories and Shops Acts.

PLUMBERS BOARD.

NOTES.—(1) This Determination applies to the whole of the State of Victoria.

(2) Plumbing and Gasfitting were proclaimed on the 10th October, 1923, as Apprenticeship Trades under the *Apprenticeship Act 1928*, for the Metropolitan District.

Full particulars of the *Apprenticeship Regulations* for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne, C.2.

IN THE COURT OF INDUSTRIAL APPEALS.

IN the matter of the Factories and Shops Acts,

and

IN the matter of an Application for a revision of the Determination of the Court of Industrial Appeals (Plumbers) dated the 17th December, 1936.

Monday, the 9th day of August, 1937.

(Before His Honour Mr. Justice Martin, Mr. Albert E. Smith, and Mr. Alfred Charles Mitchell.)

The above-mentioned Application coming on for hearing by this Court this day. UPON READING an affidavit by Mr. H. E. Foster and UPON HEARING Mr. H. E. Foster on behalf of the employees, and Messrs. H. E. Forrester, F. J. Watsford and W. D. Smith on behalf of the employers and by consent: THIS COURT DOETH ORDER AND DETERMINE—

(1) That on the 1st September, 1937, the Determination of the Court of Industrial Appeals dated the 17th day of December, 1936, shall be revoked and replaced by this Determination as to the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (a) employed either inside or outside a factory or workroom in the process, trade, or business of a plumber or gasfitter;
(b) wheresoever employed in any plumbing work (including electrical or gas fittings) in connexion with the erection or repairing of buildings.

(2)

| Apprentices (other than those covered by the Apprenticeship Commission). | | | Improvers.* | | Other Employees. | | | |
|---|----|------|--|----|-------------------|--|-----------------------|-----------|
| WAGES. | | | WAGES. | | WAGES. | | Per Week of 14 Hours. | Per Hour. |
| Per Week of 44 Hours. | | | Per Week of 44 Hours. | | | | £ s. d. | s. d. |
| s. | d. | | s. | d. | Persons employed— | | | |
| 1st year | .. | 12 0 | 1st year | .. | 19 3 | (a) Where the artificial temperature is— | | |
| 2nd „ | .. | 17 9 | 2nd „ | .. | 24 6 | Over 130° F. .. | 9 8 11 | 4 3½ |
| 3rd „ | .. | 21 9 | 3rd „ | .. | 32 6 | 115° F., but not exceeding 130° F. .. | 8 13 4 | 3 11½ |
| 4th „ | .. | 31 9 | 4th „ | .. | 43 9 | 50° F. or lower .. | 9 8 11 | 4 3½ |
| 5th „ | .. | 45 3 | 5th „ | .. | 59 6 | (b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower .. | 7 13 2 | 3 5½ |
| 6th „ | .. | 64 0 | 6th „ | .. | 81 6 | (c) Lead burning or at lead work connected therewith .. | 6 17 7 | 3 1½ |
| and thereafter the minimum wage. | | | and thereafter the minimum wage. | | | (d) On swing scaffold, swing seat, or rope .. | 6 2 0 | 2 9½ |
| PROPORTION (within any factory or place). | | | PROPORTION (within any factory or place). | | | (e) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power) .. | 5 14 8 | 2 7½ |
| One apprentice to every two or fraction of two workers receiving not less than £5 0s. 7d. per week of 44 hours. | | | One improver to four | | | Any other plumber or gasfitter .. | 5 14 8 | 2 7½ |
| An indenture of apprenticeship prescribed by the Board, as amended by the Court of Industrial Appeals, was approved on 7th September, 1923. | | | Two improvers to fifteen | | | Persons employed solely as gas main or service layers .. | 5 0 7 | 2 3½ |
| | | | Three improvers to thirty | | | (NOTE.—See clause 9 re casual rate, and clause 11 re ship work.) | | |
| | | | and thereafter one additional improver to every seven additional | | | | | |
| | | | workers receiving not less than £5 0s. 7d. per week of 44 hours. | | | | | |

* The employment, within the Metropolitan District, of any improver is illegal. (See Note 2 above.)

(3) Times of beginning and ending work—

| Time of Beginning. | Time of Ending. |
|--------------------|---|
| 7.45 a.m. .. | 12 noon on Saturday or the day on which the half-holiday is locally observed, and |
| 7.45 a.m. .. | 5.15 p.m. on the other working days of the week. |

(4) OVERTIME.—The following rates shall be paid for all work done during the times specified hereunder:—

Gas Main or Service Layers.

(a) Outside the hours fixed in Clause 3:—

| | On Saturday or the Day on which the Half-holiday is Locally Observed. | On the Other Working Days of the Week. |
|---|---|--|
| Between 5.15 p.m. and 7.15 p.m. | | Time and a half |
| „ 7.15 p.m. and midnight | | Double time |
| „ 12 noon and 2 p.m. | Time and a half | |
| „ 2 p.m. and midnight | Double time | |
| „ Midnight and 7.45 a.m. | Double time | Double time |

(b) Within the hours fixed in Clause 3 in excess of 44 hours in any week:—

| | | |
|-------------------------|---------|------------------|
| First two hours | | Time and a half. |
| Thereafter | | Double time. |

All Others.

(a) Outside the hours fixed in Clause 3:—

| | On Saturday or the Day on which the Half-holiday is Locally Observed. | On the Other Working Days of the Week. |
|---|---|--|
| Between 5.15 p.m. and 6.15 p.m. | | Time and a half |
| „ 6.15 p.m. and midnight | | Double time |
| „ 12 noon and 1 p.m. | Time and a half | |
| „ 1 p.m. and midnight | Double time | |
| „ Midnight and 7.45 a.m. | Double time | Double time |

(b) Within the hours fixed in Clause 3 in excess of 44 hours in any week:—

| | | |
|--------------------|---------|------------------|
| First hour | | Time and a half. |
| Thereafter | | Double time. |

(5) SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.—Double time shall be the special rate for all work done on Sundays, New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, Labour Day, Anzac Day (by persons not subject to *Anzac Day Act 1928*), Christmas Day, Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rates shall only be payable on the day so substituted.

(6) ALLOWANCES.—The following allowances shall be paid to persons (other than persons employed by the gas companies, employed on work away from the centre (the centre meaning the employer's usual place of business or the employee's residence, whichever is the nearer to the work):—

(i) The fares necessarily expended in going from and to the centre to and from his work.

(ii) For time necessarily occupied in travelling from and to the centre to and from his work—

| | | |
|---|---------|-------------------|
| (a) During usual working hours | | } Ordinary rates. |
| (b) Outside usual working hours— Time in excess of a total of 1½ hours occupied in going from and to the centre to and from his work | | |

(iii) For work done at a distance from the centre, if the employee is unable to return to his home the same night, and suitable board and lodging has not been provided by the employer ... 3½d. per hour extra

(7) TOOLS AND APPLIANCES.—That if any employee is required to provide any or all of the following tools or appliances:—

Caulking-irons, drilling frame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrills, dummies, metal pots, pipe cutters, plumbing irons, ratchets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vyces—

1s. per hour in addition to the ordinary rates fixed by this Determination shall be paid by the employer.

(8) MEAL INTERVAL.—Persons employed as gas main or service layers shall not be called upon to work for a longer period than five hours continuously without an interval of one hour for a meal. Such provision shall only apply to persons employed within the hours fixed as the times of beginning and ending work as set out in Clause (3) of this Determination.

(9) CASUAL LABOUR.—Casual employees (i.e., persons employed during the week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the rate of 1½d. per hour extra.

(10) TERMINATION OF EMPLOYMENT.—One hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof.

(11) SHIP WORK—

(i) All work done on a ship of any class—

(a) whilst it is under way; or

(b) in wet places or confined spaces; or

(c) in a ship which has done one trip or more, in oil fuel tanks, in bilges under engine-room or stokeholds, or on soil pipes—

shall be paid for at the rate of 8d. per hour in addition to the ordinary wage.

(ii) For the purposes of this paragraph—

“Wet Place” means one in which the clothing of the workman necessarily is wetted to an uncomfortable degree, or one in which water accumulates underfoot to a depth exceeding two inches.

“Confined Space” means one of which the dimensions are such that the workman must work in a stooped or cramped position, or without adequate ventilation, or where confinement within a limited space is productive of unusual discomfort to him.

(iii) Should the employer and the workman be unable to agree whether or not any work done by the latter is such as entitles him to the additional wage provided by this paragraph, the question is to be submitted to a Referee, chosen by the parties, whose decision will be binding on both of them. In the event of the parties being unable to agree on a Referee, application is to be made to the Secretary of the Department of Labour of the State of Victoria to appoint an Inspector to determine the matter in dispute, and the decision of such Inspector will be binding on both of them.

By the Court,

H. N. JONES,

Registrar.