



VICTORIA GOVERNMENT GAZETTE.

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[1939

Factories and Shops Acts.

DETERMINATION OF THE OVENMAKERS BOARD.

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder; such portions of the City of Sandringham as are not included within the said Metropolitan District; 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 Factories and Shops Acts the Wages Board which since the 19th October, 1936, 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 moulders) wheresoever employed:—

(a) in the process, trade, or business of a maker of ovens, stoves, or ranges, or parts thereof;

(b) in the process, trade, or business of vitreous enamelling ovens, stoves, or ranges, or parts thereof—

has made the following Determination, namely:—

(1) That on 5th December, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

	Wages Per Week of 44 Hours.	
	Within the Metropolitan District and such Portions of the City of Sandringham as are not included within the said District; the Cities of Geelong, Geelong West, and the Town of Newtown and Chilwell and the City of Warrnambool.	Other Parts of Victoria where this Determination Applies.
	<i>s. d.</i>	<i>s. d.</i>
Fitters making, repairing, assembling, re-assembling, setting, installing (other than electrical installation) or testing fuel cooking stoves, ovens, gas or electric stoves—		
Up to 3 ft. 6 in. in width	92 0	89 0
Between 3 ft. 6 in. and 5 feet in width	95 0	92 0
Fitters making, repairing, setting or installing (other than electrical installation) gas or electric stoves or other cooking or heating appliances over 5 feet in width by jobbing methods	105 0	102 0
Fitters mainly engaged on sheetmetal work and sheetmetal workers preparing material for assembling	97 0	94 0
Testers not engaged as fitters	86 0	83 0
Pattern and moulding box fitters and filers	97 0	94 0
Painters, brush	87 0	84 0
Painters, spray	90 0	87 0
Press operators	88 0	85 0
Other power machinists	85 0	82 0
Polishers and grinders	93 0	90 0
Stove blacksmiths	91 0	88 0
Electroplaters in charge	100 0	97 0
Electroplaters' assistants	89 0	86 0
Labourers delivering material to and taking finished articles from fitters	83 0	80 0
Stove blacksmiths' strikers	86 0	83 0
Labourers directly assisting workmen whose margins exceed 15s. per week	89 0	86 0
All others	80 0	77 0

(2)—continued.

PORCELAIN ENAMELLING SECTION.

	Wages Per Week of 44 Hours.	
	Within the Metropolitan District and such Portions of the City of Sandringham as are not included within the said District; the Cities of Geelong, Geelong West, and the Town of Newtown and Chilwell and the City of Warrnambool.	Other Parts of Victoria where this Determination Applies.
Fusers	s. d. 98 0	s. d. 95 0
Mill hands and mixers	89 0	86 0
Sprayers	90 0	87 0
Shot and sand-blast dressers	95 0	92 0
Other dressers	90 0	87 0
Swillers, grippers, and brushers	86 0	83 0
Picklers	86 0	83 0
Rackman	84 0	81 0
All others	80 0	77 0

(3) UNAPPRENTICED MALE JUNIORS AND FEMALES.

	Weekly Hiring.	Hourly Hiring.
	s. d.	s. d.
(a) Junior Males—		
Under 16 years of age	17 0	18 3
16 and under 17 years of age	26 0	27 9
17 and under 18 years of age	45 9	48 9
18 and under 19 years of age	57 9	61 9
19 and under 21 years of age	69 9	74 3
Adult Females—		
If of less than twelve months' experience	49 9	53 0
Of twelve months' experience or more	56 3	59 9
Junior Females—		
1st year's experience	14 0	15 0
2nd year's experience	18 9	20 0
3rd year's experience	29 3	31 3
4th year's experience	36 6	39 0
5th year's experience	41 9	44 6
Thereafter until reaching 21 years	46 9	49 9

(4) SPECIAL RATES.—In addition to the wages prescribed in clauses 1 and 3 hereof, the following special rates and allowances shall be paid:—

- (a) Leading hands in charge of not less than three and not more than ten employees, including apprentices, 6s. per week extra; more than ten and not more than twenty employees, including apprentices, 12s. per week extra; more than twenty employees, including apprentices, 18s. per week extra.
 - (b) Working in wet places, 1½d. per hour extra. Working in confined spaces, 3d. per hour extra.
 - (c) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes rest after every two hours work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.
 - (d) Dirty work, i.e., work which the foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.
 - (e) Compensation to the extent of damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.
 - (f) Where more than one of the disabilities entitling a workman to extra rates exist on the same job, the employer shall be bound to pay only one rate, viz., the highest for the disabilities so prevailing.
- (5) HOURS OF EMPLOYMENT.—The ordinary hours of employment shall be 44 per week, to be worked (except as to shift workers) between the hours of 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday. Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employees, and also that the weekly hours may be worked in five days.
- (6) OVERTIME.—(a) For all work done outside ordinary hours the rate of wage shall be time and a half for the first four hours and double time thereafter.
- (b) In computing overtime, each day's work shall stand alone.
 - (c) An employee recalled after leaving his workshop to work overtime shall be paid for a minimum of three hours work at the appropriate rate.
 - (d) An employee occasionally required to hold himself in readiness to work after ordinary hours shall until released be paid standing by time at ordinary rates from the time from which he is to hold himself in readiness. Any custom now prevailing under which an employee is required to regularly hold himself in readiness for a call back shall continue.
 - (e) An employee (other than on shift) who has worked up to or beyond midnight shall not be bound to continue work on the following day.
 - (f) For all work done during meal hours and thereafter until a meal hour break is allowed time and a half rate shall be paid. An employee shall not be compelled to work for more than six hours without a break for meals.
 - (g) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.
 - (h) Before starting overtime after working ordinary hours, a meal break of at least 45 minutes shall be allowed, unless the period of overtime is less than one and a half hours. An employee and his employer may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.
 - (i) An employee required to work overtime for more than two hours without being notified the day before that he will be required, so to work, shall either be supplied with a meal by the employer or paid 1s. 6d., or if the work extends into a second meal hour 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.
- If an employee pursuant to notice has provided a meal or meals and is not required to work overtime he shall be paid for each meal provided.

(j) Subject to the provisions of the second part of sub-clause (f) hereof an employee shall work during meal breaks at the ordinary rates herein prescribed whenever instructed so to do for the purpose of making good break-downs of plant or upon routine maintenance of plant which can only be done while such plant is idle.

(k) When an employee working overtime finishes work at a time when reasonable means of transport is not available, the employer shall provide him with a conveyance or pay him ordinary wage rates for the time occupied in reaching his home.

(7) **SHIFT WORK.**—For any afternoon shift $7\frac{1}{2}$ per cent. and for any night shift 10 per cent. more than ordinary rates shall be paid. Shifts which do not continue for five successive nights shall be regarded as overtime.

(8) **HOLIDAYS AND SUNDAY WORK.**—(a) Employees shall be entitled to the following public holidays (without pay except as hereinafter provided):—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Eight Hours Day (or Labour Day), Anzac Day, and Christmas Day and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

(b) Employees shall be paid at the rate of double ordinary time for work done on Sundays and public holidays, such double time to continue until the employee has been relieved from duty for at least eight hours. Provided that the employee shall not be paid for the time he is resting.

(8A) **ANNUAL HOLIDAYS.**—(a) Except as hereinafter provided employers shall in each year give their employees continuously employed as defined a holiday from and after the day observed as Boxing Day to the 31st day of December inclusive, and shall pay full wages for ordinary working days included in that period. Piece-workers and bonus-workers receiving such holiday shall be paid time-work rates.

(b) Employees entitled to such holiday and entitled to work during that period shall be given a week's holiday on full pay at some other time during the year, or if dismissed from employment before receiving such holiday shall be paid an extra week's wages on dismissal.

(c) "Continuously employed" for the purpose of this clause means employed (except as to breaks arising from slackening of work) for the three months immediately preceding the 25th day of each December. Any employee dismissed during the two weeks immediately preceding the 25th day of December shall be entitled to payment of one week's wages for such annual holiday.

(9) **SHOP STEWARDS.**—Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom they represent.

(10) **TRAVELLING TIME, ALLOWANCE, AND BOARD.**—(a) All fares and reasonable travelling expenses—including the cost, it incurred, for meals—incurred by an employee during travelling shall be paid by the employer. The fares shall be first class on coastal boats, or on inter-State boats where there is no second class distinct from steerage. On trains where the employee has to travel all night, sleeping accommodation shall be provided where available.

(b) Time occupied in travelling during ordinary hours of employment shall be paid for at ordinary rates.

(c) If such employee has to be away from his home overnight he shall be allowed reasonable costs of board and lodging.

(d) When it is more convenient for the employee in the city or town in which his employer's factory is situated to go direct to the job from his home he shall do so, and start and cease work at the usual time customary at the shop. Provided that any extra expense incurred by him in travelling shall be borne by the employer.

(11) **CONTRACT OF EMPLOYMENT.**—(a) With the exceptions hereinafter stated, employment may be by the week or by the hour. If by the week it shall be terminable on either side by one week's notice given on any day or (if the employer terminate it without such notice) by payment of one week's wages.

A contract for weekly employment may be terminated by an employer without liability to pay for more than time actually worked, for misconduct, or for absence from work without reasonable excuse. If an employee engaged by the week absents himself from duty, except on public holidays or for days for which he produces a certificate from a medical practitioner or other proof satisfactory to his employer of sickness (aggregating four days sickness in each year) a sum proportionate to his time of absence may be deducted from his pay, i.e., one-sixth of the weekly wage for each day of absence including Saturday in shops working six days per week and one-fifth in shops working five days per week; provided that only time actually lost shall be deducted when an employee is absent with leave on a Saturday.

(b) If the contract of employment is for hourly hiring the total amount of the rates prescribed in clauses 1 and 3 hereof shall be increased by 5s. per week, but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) An employee starting work on hourly hiring shall be entitled to a minimum of four hours' consecutive work or to four hours' pay for the job—such hours may be deemed to be consecutive if worked in ordinary hours at the end of a day and the beginning of the next succeeding day.

(12) **PAYMENT OF WAGES.**—(a) Wages shall be paid weekly. Where the services of an employee are dispensed with, wages shall be paid to him on the day of dismissal or forwarded to him by post on the day following.

(b) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time of ceasing work shall be paid at overtime rates after that quarter of an hour with a minimum of a quarter of an hour.

(13) **TIME AND WAGES BOOK.**—Each employer shall keep a time and wages book showing the name of each employee and his occupation, and the hours worked each day and the wages and allowances paid each week.

The time occupied by an employee in filling in any time books or cards, or in the making of records shall be treated as time of duty, but this does not apply to checking in or out at the beginning or end of duty.

(14) **PAYMENT BY RESULTS.**—Subject to the minimum wages herein prescribed, an employer may remunerate any of his employees under any system of payment by results based on rates which will enable workers of average capacity to earn at least 10 per cent. in excess of their hourly or weekly rates.

(15) **MISCELLANEOUS.**—(a) *Tools.*—The employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination, and for sheet metalworkers, snips used in the cutting of stainless steel, monel metal, and similar hard metals. The employee shall replace or pay for any tools so provided if lost through his negligence.

(b) Suitable mica or other goggles for emery-wheel operators shall be provided by the employer.

(c) Suitable canvas or leather gloves shall be provided by employers for the operators of pneumatic tools and/or punch and shearing machines.

(d) Employers shall provide proper washing and sanitary conveniences for the use of their employees.

(16) **DEFINITIONS.**—(a) "Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of an employee, or a place where water accumulates under foot to a depth exceeding 2 inches.

(b) "Confined space" means a working place, the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.

(17) **MIXED FUNCTIONS.**—An employee engaged on any day in different grades of work shall be paid at the rates prescribed for the time actually worked in each grade.

(18) **EXTRA RATES NOT CUMULATIVE.**—Extra rates prescribed in this Determination are not cumulative so as to exceed the maximum of double the ordinary rates.

D. GRANT, Chairman.

E. G. WILLIAMS, Secretary.

Melbourne, 20th November, 1939.

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