



VICTORIA GOVERNMENT GAZETTE.

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[1941

Factories and Shops Acts.

DETERMINATION OF THE COAL AND COKE BOARD.

NOTE.—This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which now has power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in any business or occupation connected with the sale or distribution of coal or coke by any—

(a) coal importer,

(b) coalmine owner,

(c) gas company,

(d) agent or contractor who distributes coal or coke for any coal importer, coalmine owner, or gas company"—

has made the following Determination, namely:—

(1) That on the 21st March, 1941, the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1941, shall be revoked and replaced by this Determination.

(2)

Improvers.*				Other Employees.			
WAGES PER WEEK.				WAGES PER WEEK.			
			s. d.				s. d.
Under 17 years of age	42	3	Persons trimming or spreading coal that is heated or on fire	182 8
17 years of age	48	9	Persons employed feeding coal to and/or trimming coal from and/or operating mechanical loader	116 8
18 " "	55	3	Persons trimming from the "Grab"	124 0
19 " "	62	3	Other coal trimmers	116 8
20 " "	75	9	Coal baggers or loaders	116 8
						Unloaders of loose coal from box wagons or drays to railway trucks	138 8
						Coke stackers at wharf coal yards	125 10
						Coke yard employees	90 8
						Carters driving one horse	91 0
						Carters driving two horses	96 0
						Carters driving three horses	99 0
						Carters driving four horses	101 0
						Carters driving five horses	102 0
						And 6d. extra per day for every additional horse	
						Drivers of motor wagons having a carrying capacity of—	
						(a) 25 cwt. or less	96 0
						(b) over 25 cwt.; but not over 3 tons	100 0
						(c) over 3 tons, but under 6 tons	103 0
						Further tonnage—for each complete ton over 5 an extra 1s. per week	
						All others	109 4

* NOTE.—The Board has determined, in accordance with Section 25 (1) of the Factories and Shops Act 1934, that the trade is so unskilled that no apprentices shall be taken in the trade.

(3) Hours:—

All persons other than carters and drivers 44 hours per week.

Carters and drivers 88 hours per fortnight provided that not more than 48 hours per week shall be worked without payment of overtime.

(4) TIME OF BEGINNING AND ENDING WORK—

	Time of Beginning.	Time of Ending.	
		Five days in the week.	The Day the Half-holiday is Usually Observed.
Carters	7 a.m.	5.45 p.m.	1 p.m.
All others	8 a.m.	5 p.m.	12 noon

(5) OVERTIME.—(a) The following rates shall be paid for all overtime worked:—

(i) Outside the time of beginning and ending work as herein fixed—

- Between 12 noon and midnight on the day on which the half-holiday is usually observed .. Double time.
- Between 5 p.m. and midnight on the other working days .. Time and a half.
- Between midnight and 8 a.m. .. Double time.

(ii) Within the times of beginning and ending work in excess of the hours fixed in Clause (3). as a week's work—

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

(b) Special provisions relating to overtime:—

When overtime is to be worked casual employees shall where practicable be given preference. The foreman shall make the necessary arrangements for engaging casual employees during the times mentioned in clause (10) and shall inform casual employees so engaged of the actual time they are expected to commence work.

Should a casual employee be employed during the day and until 7 a.m. the following day by one employer, he shall not be required to continue after 7 a.m. if other labour is available.

Should a casual employee who has been employed all day be ordered back by the same employer to resume not later than 2 a.m. and continues until 7 a.m. he shall not be required to continue after 7 a.m. if other labour is available.

Should a casual employee's first start be midnight or later he shall if required continue working throughout that day until 5 p.m.

If a regular yard employee after completing a full day's work is called upon to work overtime until later than 11 p.m. he shall not be required to resume work next morning if other labour is available.

(6) MINIMUM OF WORK.—Employees called on to work on any day shall be given four (4) hours' work or pay.

(7) SMOKE-OH.—(a) Persons employed in trimming coal or coaling small vessels by means of baskets, shall be entitled to the following smoke-oh:—

- DAY: 10 a.m. to 10.30 a.m., unless work ends at or before 10 a.m.
3 p.m. to 3.30 p.m. unless work ends at or before 3 p.m.
- NIGHT: 9 p.m. to 9.30 p.m., unless work ends at or before 10 p.m.
3 a.m. to 3.30 a.m., unless work ends at or before 3 a.m.

(b) Persons employed continuously feeding coal into any mechanical appliance or elevator shall be allowed 30 minutes smoke-oh during each morning and each afternoon.

(8) WET WEATHER PROVISIONS.—(a) A committee consisting of a representative of employers appointed by the Commonwealth Steamship Owners Association and a representative of employees appointed by the Federated Fodder and Fuel Trades Industrial Union shall by agreement determine whether work at the South Wharf Coal Yards shall proceed or cease in the event of wet weather.

(b) If the Committee agrees that rain is sufficiently heavy to justify a temporary cessation of work such work shall cease forthwith provided that wagons which have been loaded to at least half capacity shall be completed before work ceases.

(c) During the temporary cessation of work employees shall hold themselves in readiness for work during ordinary hours of employment and shall be paid for the actual time of waiting as follows:—

- For the first hour—ordinary rates.
- Thereafter at one-half ordinary rates.

(d) When the Committee determines that the weather conditions are suitable employees affected shall immediately resume work.

(e) In the event of a disagreement by the Committee as to whether the conditions are suitable for a resumption of work, lots shall be drawn to determine the matter.

(f) If the employers' representative considers the weather justifying the cessation of work is likely to continue for a lengthy period, the payment of allowances set forth in paragraph (c) may be discontinued, and employees shall not be bound to hold themselves in readiness for a resumption of work.

(9) MEAL MONEY.—Any person required to continue work until 5.30 p.m. or later shall be paid 1s. 6d. meal money.

(10) PICKING-UP TIME.—The picking-up time for engagement of labour at the South Wharf shall be from 7.45 a.m. to 11 a.m. Mondays to Fridays inclusive, and 7.45 a.m. to 10 a.m. on Saturdays.

(11) PLACE FOR ENGAGEMENT OF LABOUR.—The place for engagement of labour at the South Wharf coal yards shall be at the Harbor Trust shelter shed.

(12) RIGHT OF ENTRY OF UNION OFFICIAL.—A duly accredited representative of the Federated Fodder and Fuel Trades Industrial Union shall have the right to enter the portion of any employer's establishment in which any of the classes of labour covered by this determination are employed, for the purpose of interviewing employees on legitimate union business.

(13) DINING AND SANITARY ACCOMMODATION.—Proper dining and sanitary accommodation shall be provided by the employer for the use of employees.

(14) SPECIAL RATES.—For all work done on Sundays and the undermentioned holidays the rates shall be—

	Coal Trade.	Coke Trade.
Sundays	Double time ..	Time and a half.
Australia Day (26th January)	Time and a half ..	"
New Year's Day	" ..	"
Labour Day (21st April)	Double time ..	"
Good Friday	" ..	Double time.
Easter Saturday	Time and a half ..	Time and a half.
Easter Monday	" ..	"
Christmas Day	Double time ..	Double time.
Boxing Day	Time and a half ..	Time and a half.
King's Birthday	" ..	"
Melbourne Cup Day	" ..	"

but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

(15) ANNUAL LEAVE.—A regular employee shall be granted one week's annual leave without deduction of pay in respect of each twelve months' service, such leave to be given within three months of the completion of each twelve months' service. For the purposes of this clause, service prior to 1st December, 1940, shall not be taken into account.

A "regular employee" shall mean a person employed by the same employer for not less than 40 hours per week excepting for breaks caused by public holidays, wet weather, as provided for in clause (8) herein, or sickness not exceeding 4 days in any year, satisfactory proof of which must be supplied to the employer within 24 hours of such sickness.

(16) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (17).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	Six Capital Cities (Weighted Average).
Within the area to which this Determination applies	4 0 0	

ADJUSTMENT OF BASIC WAGE.

(17) (a) Until the beginning of the first pay period to commence in May, 1941, the amount of the basic wage shall be as prescribed in clause (16).

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's 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.

- (1) The index number for the six capitals (weighted average) is to be applied.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period.

Table

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
735-746	3 0 0	883-895	3 12 0
747-759	3 1 0	896-907	3 13 0
760-771	3 2 0	908-919	3 14 0
772-783	3 3 0	920-932	3 15 0
784-796	3 4 0	933-944	3 16 0
797-808	3 5 0	945-956	3 17 0
809-820	3 6 0	957-969	3 18 0
821-833	3 7 0	970-981	3 19 0
834-845	3 8 0	982-993	4 0 0
846-858	3 9 0	994-1,006	4 1 0
859-870	3 10 0	1,007-1,018	4 2 0
871-882	3 11 0	1,019-1,030	4 3 0

H. J. RICHARDSON, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 4th March, 1941.

