



VICTORIA GOVERNMENT GAZETTE.

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[1942

Factories and Shops Acts.

DETERMINATION OF THE IRON AND STEEL ROLLING 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 appointed 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 iron or steel rolling," has made the following Determination, namely:—

(1) That on the 1st January, 1942, the adjusted Determination which came into force as from the beginning of the first pay period to commence in November, 1941, shall be revoked and replaced by this Determination.

(2)

WAGES.

Improvers.					Other Employees.								
					DAY SHIFT.								
					Wages per								
					Week of								
					44 Hours.								
					£ s. d.								
					1 2 3								
17 to 19 years of age	3	8	9	..	7	16	3		
19 to 21 years of age	4	2	6	..	7	8	6		
PROPORTION (in any place).										..	7	3	6
One improver to every six adults receiving not less than 94s. per										..	7	3	6
week of 44 hours.										..	5	11	0
										..	5	8	0
										..	5	19	0
										..	5	17	0
										..	5	9	0
										..	5	9	0
										..	5	9	0
										..	5	3	0
										..	5	0	6
										..	5	5	11
										..	5	3	0
										..	4	17	8
										..	5	3	0
										..	5	3	0
										..	5	3	0
										..	5	0	6
										..	5	3	0
										..	5	0	6
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										..	5	12	0
										..	5	12	0
										..	4	17	8
										..	4	18	0
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(4) **HOURS OF EMPLOYMENT.**—The ordinary hours of employment shall be 44 per week, to be worked in five days of 8 hours and one day (Saturday) of 4 hours, or five days of 8 hours 48 minutes each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday: Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employee.

By agreement between any employer and his employees ordinary hours may be worked on the basis of 88 per fortnight with one week of 40 and one of 48 hours.

(5) **SHIFT WORK.**—The following percentage shall be added to the rates fixed for the day shift for persons employed on the afternoon or night shift:—12½ per cent.

(6) **MIXED FUNCTIONS.**—An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

(7) **OVERTIME.**—(a) For all work done outside ordinary hours the rates of wage shall be time and a half for the first 4 hours and double time thereafter, such double time to continue to be paid until an employee has been relieved from work for at least 9 hours. Provided that an employee shall not be entitled to payment for such rest period.

(b) Except as provided above 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 so to hold himself in readiness. But any custom now prevailing under which an employee is required regularly to 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) As far as practicable employees shall not work overtime while competent labour is available.

(g) For work done during meal hours and thereafter until a meal hour break is allowed, time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each 4 hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(i) 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 employer and his employee may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(j) An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 1s. 6d., or if 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 work-shop 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 so provided.

(k) Subject to the provisions of the second part of the sub-clause (g) of this clause 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.

(l) 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 his current wage for the time occupied in reaching his home.

(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, King's Birthday, Labour Day, Anzac Day, 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.

Exceptions.

By agreement between any employer and his employees, other holidays may be substituted for the said days or any of them as to such employer's undertaking.

(b) Employees not engaged in continuous work 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 8 hours. Provided that the employee shall not be paid for the time he is resting.

Provided that employees engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day (not including the installation of new machinery) shall on holidays or Sundays be paid at the rate of time and a half.

(c) Employees, other than on shift work, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

(9) **CONTRACT OF EMPLOYMENT.**—*Weekly Employment.*—(a) Except as hereinafter provided, 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 employees 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 be usefully 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.

(c) An employee not attending for duty shall, except as provided by clause (10) hereof, lose his pay for the actual time of such non-attendance.

Casual Employment.

(d) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he performs.

(10) **SICK LEAVE.**—(a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

(i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' compensation.

(ii) He shall prove to the satisfaction of his employer (or in the event of dispute of the Secretary of Labour) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.

(iii) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 44 hours of working time.

For the purpose of administering paragraph (iii) of this sub-clause an employer may within one month of this determination coming into operation or within two weeks of the employee entering his employment require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

(b) Notwithstanding anything contained in sub-clause (a) hereof an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to Workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

(11) ANNUAL LEAVE.—(a) A period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave) in any one or more of the occupations to which this Determination applies.

(b) Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-day shift worker, he shall be entitled to have the period of seven consecutive days' annual leave prescribed in sub-clause (a) of this clause increased by half a day for each month he is continuously engaged as aforesaid.

(c) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than one week's notice to the employee provided that the giving of annual leave may with the consent of the Secretary for Labour be postponed for a period to be specified in cases where the exigencies of the war render it impracticable to give it within the said period of six months.

(d) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(e) If after six months' continuous service in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer through no fault of the employee the employee shall be paid one-sixth of a week's wages in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(f) Each employee before going on leave shall be paid a week's wage except a seven-day shift worker who shall be paid for the period of additional leave allowed in his case the amount of wages he would have received for that period if he had not been on such leave. For the purpose of this sub-clause and sub-clause (e) hereof the week's wage shall be at the rate prescribed by clause (2) of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

(g) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided by sub-clause (e) hereof payment shall not be made or accepted in lieu of annual leave.

(h) Where leave has been granted to an employee pursuant to sub-clause (d) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by clause (8) of this Determination.

(i) Service before the date of this Determination shall be taken into consideration for the purpose of calculating annual leave provided that an employee shall not be entitled to leave or to payment in lieu thereof for any period in respect of which leave or payment in lieu thereof has been allowed or made under the Determination hereby rescinded.

(j) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

- (i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of sickness or accident and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months shall be deemed to be part of the period of continuous service.

(k) The annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause (8) of this Determination and if any such holiday falls within an employee's period of annual leave there shall be added to that period one day for each such holiday falling as aforesaid.

(l) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

(m) Where the employer is a successor or assignee or transferee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee the employee in respect of the period during which he was in the service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

(n) This clause shall not apply to any employer in respect of any employee to whom pursuant to a Determination or agreement—he is required to allow annual leave to an extent equal to or greater than that prescribed herein.

(12) RIGHT OF ENTRY OF UNION OFFICIALS.—A duly credited official of the Federated Ironworkers Association of Australia shall have the right to enter employers' workshops for the purpose of conducting union business during the midday meal hour or immediately prior to the starting of work by the night shift provided he notifies the management of his intention to visit the works.

(13) MISCELLANEOUS PROVISION.—Employers shall provide proper washing and sanitary conveniences and install showers and clothes hangers for the use of workmen.

(14) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates for other employees 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 rates for improvers shall be adjusted proportionately to the basic wage and the prices for piecework shall be adjusted proportionately to the rate fixed for "All others" at the same time as follows:—

- (a) The rates for improvers to the nearest 3d., half or less than half of 3d. to be disregarded.
- (b) The piece-work prices as set out in clause (16) to the nearest farthing.

The basic wage shown hereunder shall be adjusted as prescribed in clause (15).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 4 2 0	Melbourne

(15) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in February, 1942, the amount of the basic wage shall be as prescribed in clause (14).

(b) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, 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 set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made 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.	908-919	3 14 0.
747-759	3 1 0.	920-932	3 15 0.
760-771	3 2 0.	933-944	3 16 0.
772-783	3 3 0.	945-956	3 17 0.
784-796	3 4 0.	957-969	3 18 0.
797-808	3 5 0.	970-981	3 19 0.
809-820	3 6 0.	982-993	4 0 0.
821-833	3 7 0.	994-1006	4 1 0.
834-845	3 8 0.	1007-1018	4 2 0.
846-858	3 9 0.	1019-1030	4 3 0.
859-870	3 10 0.	1031-1043	4 4 0.
871-882	3 11 0.	1044-1055	4 5 0.
883-895	3 12 0.	1056-1067	4 6 0.
896-907	3 13 0.		

Any extension of this table must be of the same construction as the table.

(16) PIECEWORK.—The lowest piecework price payable to any person employed shall be the price mentioned in the following Schedule, which Schedule shall form part of this Determination.

The Board has also determined that where any person employed on tonnage rates set out in such Schedule fails to earn during any day on which he is so employed an amount equal to one-fifth of the prescribed weekly rate he shall be paid for such day not less than one-fifth of the prescribed weekly rate. Provided that if such employee elects to work for a shorter period than the number of hours fixed for an ordinary day's work he shall be paid a sum proportionate to the time worked.

LARGE MILL.

	s. d.	
Roller	3 3½	per ton of finished bars of iron and steel.
	3 1	per ton of scrap iron bars.
Rougher	2 5	per ton of finished bars of iron and steel.
	4 4½	per ton of scrap iron bars.
Catcher	1 8	per ton of finished bars of iron and steel.
	2 6½	per ton of scrap iron bars.
Middleman	1 7½	per ton of finished bars of iron and steel.
Large Hook	1 6½	per ton of finished bars of iron and steel.
	2 3½	per ton of scrap iron bars.
Small Hook	1 6½	per ton of finished bars of iron and steel.
Platehand	1 6½	per ton of finished bars of iron and steel.
Leading Platehand	1 7½	per ton of finished bars of iron and steel.
	2 4½	per ton of scrap iron bars.
Furnaceman	5 2½	per ton of finished bars of iron and steel.
	7 0½	per ton of scrap iron bars.
Underhand	3 2½	per ton of finished bars of iron and steel.
	4 8	per ton of scrap iron bars.
Carrier Up	1 7½	per ton of finished bars of iron and steel.
Carrier Up	1 6½	per ton of finished bars of iron and steel.

SMALL MILL.

	s. d.	
Roller	5 2½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
	4 1½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
	3 5½	per ton of finished bars of iron and steel billets and iron piles over 40 lb. each.
Rougher	4 5½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
	3 5½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
	3 1	per ton of finished bars of iron and steel billets and iron piles over 40 lb. each.
Catcher	2 11½	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
	2 7½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
	2 2	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
	1 11½	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
	1 10	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Middleman	2 5½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
	2 0½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
	1 10	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
	1 8½	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Furnaceman	3 3½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
	7 2½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
	6 6	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
	5 2½	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Underhand	4 10½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
	4 0½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
	3 6½	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
	3 2½	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Plateman	2 9	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
	1 8½	per ton of finished bars of iron and steel billets and iron piles over 30 lb. each.

NOTE.—The furnaceman and underhand are paid for the output of one furnace.

D. GRANT, Chairman.

J. MORGAN, Secretary.

Melbourne, 16th December, 1941.

By Authority: H. E. DAW, Government Printer, Melbourne.