



# VICTORIA GOVERNMENT GAZETTE.

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[1942

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 13 (FUEL AND FODDER—COUNTRY).

NOTE.—This Determination on the 1st March, 1942, applied to the whole of the State **outside and excepting** 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 24th December, 1940, has had the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (a) employed in the business of a hay, corn, or chaff dealer;
- (b) employed carting, cutting, or otherwise preparing firewood for sale or for use in some process, trade, business, or occupation;
- (c) employed in connexion with the sale or distribution of wood, coal, or coké;
- (d) employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal"—

has made the following Determination, namely:—

(1) That on the 1st March, 1942, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### Part 1.—Persons OTHER THAN those employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.

(2)

IMPROVERS.	OTHER EMPLOYEES.
Wages per Week of 44 Hours.	Wages per Week of 44 Hours.
	<i>Firewood Saw-mills, Mallee Roots, &amp;c.</i>
Under 17 years of age .. .. . s. d.	
17 years of age .. .. . 50 0	Benchmen at self-acting benches where not more than two persons are em-
18 " " .. .. . 60 0	ployed, viz., benchman and stacker .. .. . 105 0
19 " " or over—the ap- propriate rate prescribed under the heading "other employees."	Other benchmen .. .. . 100 0
	Lumpers .. .. . 100 0
	Trolley-men .. .. . 100 0
	Skip loaders .. .. . 100 0
	Truck loaders of wood 4 feet or over .. .. . 100 0
	Wagon or dray loaders .. .. . 100 0
	Block stackers .. .. . 94 0
	Wood cutters .. .. . 105 0
	Carters driving one, two, or three horses .. .. . 105 0
	And 6s. extra per week for every additional horse in excess of three.
	Drivers of motor vehicles having a carrying capacity—
	(a) not exceeding 25 cwt. .. .. . 98 0
	(b) exceeding 25 cwt. but not exceeding 3 tons .. .. . 104 0
	(c) exceeding 3 tons .. .. . 110 0
	And if a trailer is attached to the vehicle—1s. 6d. per day extra.
	Persons engaged in raising, digging out, cleaning, trimming, or loading mallee roots on to vehicles .. .. . 110 0
	All others .. .. . 92 0
	Foreman—If any person employed in any of the above capacities has under his control five or more other workers he shall be regarded as a foreman, and paid 1s. per day above the ordinary rate.
	<i>Hay, Corn, or Chaff Stores.</i>
	Storemen in charge .. .. . 102 0
	All others .. .. . 96 0
	<i>Wood, Coal, or Coke Yards.</i>
	Carters driving one horse .. .. . 97 0
	Carters driving two horses .. .. . 100 0
	And 3s. extra per week for every additional horse.
	Drivers of motor vehicles having a carrying capacity—
	(a) not exceeding 25 cwt. .. .. . 98 0
	(b) exceeding 25 cwt., but not exceeding 3 tons .. .. . 104 0
	(c) exceeding 3 tons .. .. . 110 0
	And if a trailer is attached to a vehicle—1s. 6d. per day extra.
	All others .. .. . 96 0

NOTE.—The Board determines that no person shall be employed as an apprentice.

(3) OVERTIME.—Any employee who in any week works for any time in excess of the maximum number of hours fixed for a week's work shall be paid for such extra time at the rate of time and a half.

(4) SPECIAL RATES.—Time and a half shall be the special rate for all work done on Sundays, New Year's Day, Good Friday, Easter Monday, Labour Day, Christmas Day, and Boxing Day; but if by Act of Parliament or Proclamation any other day be substituted for any of the above-named holidays, then the special rate shall be payable only for the day so substituted.

(5) TIME WAGES.—Any person employed in a factory or shop on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to one-half the number of hours fixed, at the ordinary wages rate with an addition of thirty-three and a third per centum. For time worked beyond the 22 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work.

(6) CASUAL LABOUR.—Casual hands, i.e., persons who are employed other than in a factory or shop during any week for not more than one-half of the maximum number of hours fixed in this Determination as a week's work, shall be paid 3d. per hour above the ordinary rate.

(7) TERMINATION OF EMPLOYMENT.—Seven days' notice of termination of employment shall be given by either employer or worker.

(8) CONTRACT WORK.—No person shall contract or enter into an agreement with any other person or persons to perform any work connected with the preparation of firewood for sale or for use in any trade or business at a lower rate or price than the appropriate wages rate or piecework price prescribed by this Determination.

(9) SPECIAL TREATMENT OF INJURED.—The employer, as soon as reasonably possible, shall supply means free of charge to convey to the nearest hospital or doctor any employee so seriously injured that it is not reasonably possible for such employee to travel independently of such conveyance.

(10) FIRST AID AND MEDICAL OUTFIT.—The employer shall provide at every main place of employment a first aid outfit. Such outfit shall consist of at least the following:—Boracic acid, iodine, picric acid (bottle solution), 1 in. bandages, lint, cotton, triangle bandages, lysol, permanganate of potash, snake-bite scarifier, splints, capable of being used in 12-in. lengths, and one pair of scissors.

(11) PIECE-WORK.—A schedule of piece-work prices to be paid to any person for doing certain kinds of work has been fixed by the Board.

*Firewood Saw-mills, Mallee Roots, &c.*

CUTTING AND STACKING OR CUTTING AND LOADING ON TO WAGONS OR DRAYS—

Grey box, 6 feet or over .. .. .	38s. 0d. per truck (Standard I.B.).
Ironbark, 6 feet or over .. .. .	35s. 6d. per truck (Standard I.B.).
	5s. 0d. per ton (50 cubic feet) or
	50s. 0d. per truck (Standard I.B.) loaded to 5 feet.
Grey box or ironbark, 4 feet and under 6 feet .. .. .	55s. 6d. per truck (Standard I.B.) loaded to 5 feet 8 inches.
	59s. 0d. per truck (Standard I.B.) loaded to 5 feet 10 inches.
Box or ironbark, 2 feet and under 4 feet .. .. .	7s. 6d. per ton (50 cubic feet).
Mixed wood, i.e., all wood other than box, ironbark, or ti-tree, 4 feet to 6 feet inclusive .. .. .	4s. 6d. per ton (50 cubic feet).
2 feet and under 4 feet .. .. .	6s. 0d. per ton (50 cubic feet).
The cutter shall have the right to determine where the wood is to be stacked for measurement, i.e., at the stump, on the vehicle, or at the place of delivery.	
Red box, 6 feet or over .. .. .	34s. 6d. per truck (Standard I.B.).
Stringybark or gum, over 6 feet .. .. .	28s. 0d. per truck (Standard I.B.).
Dry gum, 6 feet or over .. .. .	34s. 6d. per truck (Standard I.B.).
Dry gum, 5 feet boiler wood .. .. .	6s. 6d. per ton (50 cubic feet).
Green gum, 5 feet boiler wood .. .. .	4s. 6d. per ton (50 cubic feet).
Ironbark or box, 5 feet boiler wood .. .. .	6s. 0d. per ton (50 cubic feet).
Boiler wood (other than ironbark or box), 5 feet, cut from saplings not exceeding 2 feet 4 inches in circumference 2 feet from the ground—	
within the Shire of Beechworth, and at such places within a radius of 12 miles of the Post Office at Freceburgh, or 25 miles of the principal Post Offices at Ballarat and Warrnambool respectively as are included in the area to which this Determination applies .. .. .	3s. 6d. per ton (50 cubic feet).

CUTTING—

Ti-tree .. .. . 6s. 6d. per ton (50 cubic feet).

LOADING WAGONS OR DRAYS .. .. . 6s. 4d. per truck (Standard I.B.).

LOADING AND STACKING BLOCKS—

If taken off ground within 15 feet of rails and placed in Standard I.B. truck .. 6s. 6d. per truck (Standard I.B.).

TROLLEYING FROM STACK TO BENCH .. .. . 4s. 8d. per truck (Standard I.B.).

TRUCK LOADING—

5 feet boiler wood .. .. .	6s. 6d. per truck (Standard I.B.) loaded to 5 feet.
	7s. 0d. per truck (Standard I.B.) loaded to 5 feet 8 inches.
	7s. 3d. per truck (Standard I.B.) loaded to 5 feet 10 inches.

STACKING WOOD 6 FEET OR OVER ON END—

Taken from drays .. .. . 2s. 0d. per truck (Standard I.B.).

Taken from wagons .. .. . 2s. 6d. per truck (Standard I.B.).

MILLING (OTHER THAN BY SELF-ACTING BENCH)—

Where four men are employed—

	Cutting 1-ft. wood.	Cutting 9-in. wood.
Benching .. .. .	4s. 4d. per truck (Standard I.B.).	5s. 5d. per truck (Standard I.B.).
Lumping .. .. .	4s. 0d. " "	4s. 11d. " "
Handing up .. .. .	4s. 0d. " "	4s. 11d. " "
Stacking .. .. .	4s. 0d. " "	4s. 11d. " "
Benchman to sharpen saws also.		
Lumper, hander-up, and stacker to clean up also.		

Where three men are employed—

Benching and handing up .. .. .	5s. 8d. per truck (Standard I.B.).	6s. 11d. per truck (Standard I.B.).
Lumping and handing up .. .. .	5s. 4d. " "	6s. 8d. " "
Stacking .. .. .	5s. 4d. " "	6s. 8d. " "
Benchman to sharpen saws also.		
Lumper and stacker to clean up also.		

Where two men are employed .. each 8s. 2d. " " 10s. 1d. " "

These men also to sharpen saws and clean up.

## MILLING BY SELF-ACTING BENCH—

Where three men are employed—

	Cutting 1-ft. wood.	Cutting 9-in. wood.
Benching .. .. .	4s. 11d. per truck (Standard I.B.)	6s. 2d. per truck (Standard I.B.)
Lumping .. .. .	4s. 8d. " "	5s. 10d. " "
Stacking .. .. .	4s. 8d. " "	5s. 10d. " "

Benchman to sharpen saws also.

Lumper and stacker also to clean up.

Where two men are employed—

Benching and lumping .. .. .	7s. 5d. " "	9s. 0d. " "
Stacking .. .. .	6s. 11d. " "	8s. 9d. " "

Benchman to sharpen saws also.

Stacker to clean up also.

Where one man is employed .. .. .

14s. 4d. " " 17s. 9d. " "

This man also to sharpen saws and clean up.

## MALLEE ROOTS—

	By Weight.		By Measurement.	
	per ton.		per ton.	
(a) Raising or digging out .. .. .	s.	d.	s.	d.
(b) Cleaning or trimming .. .. .	5	0	4	0
(c) Loading on to vehicles .. .. .	5	0	4	0
	2	6	1	3

## Part 2.—Persons employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.

(12) IMPROVERS.	OTHER EMPLOYEES.
Wages per Week of 44 Hours.	Wages per Week of 44 Hours.
Under 17 years of age .. .. .	Wood cutters, using axe, power crosscut, circular saw, or other method .. .. .
17 years of age .. .. .	Carters driving one, two, or three horses .. .. .
18 " " .. .. .	And 6s. extra per week for every additional horse in excess of three.
19 " " or over—the appropriate rate prescribed under the heading "other employees."	Drivers of motor vehicles having a carrying capacity—
	(a) not exceeding 25 cwt. .. .. .
	(b) exceeding 25 cwt. but not exceeding 3 tons .. .. .
	(c) exceeding 3 tons but not exceeding 6 tons .. .. .
	(d) Further tonnage—for each complete ton over 5, an extra 1s. per week.
	And if a trailer is attached to the vehicle—1s. 6d. per day extra.
	<i>Gas Producer Units.</i>
	The following provisions shall apply to drivers of vehicles fitted with gas producer units:—
	(i) Driver of a motor vehicle fitted and operated with a charcoal gas producer unit for each day or portion thereof upon which he is called upon to drive such vehicle, 1s. extra.
	(ii) Such driver for each day or portion thereof upon which he is called upon to clean the hopper and/or final filter of such unit, 1s. extra.
	Charcoal burning by retorts, metal or brick kilns, or pits—
	(a) Operator in charge of plant .. .. .
	(b) All other employees, including persons employed in emptying, bagging, sewing, stacking, or loading .. .. .
	Grinding or grading charcoal—
	(a) Attendant in charge of plant—
	(i) With four or more persons under his supervision .. .. .
	(ii) With three or fewer persons under his supervision .. .. .
	(b) All other persons, including those engaged in grinding, grading, or bagging charcoal or sewing bags .. .. .

PROPORTION (BY ANY EMPLOYER).  
One improver to the first three workers, receiving not less than 105s. per week of 44 hours and thereafter one additional improver to every ten additional such workers.

NOTE.—The Board determines that no person shall be employed as an apprentice.

(13) CONDITIONS OF EMPLOYMENT.—(i) Except as in this Determination otherwise provided, the ordinary weekly total of hours shall be 44 in number, all to be worked on days other than Sunday.

(ii) (a) Such ordinary weekly total, at the option of the employer, may be spread over five or six days and, except on shift work, shall be worked in one period occurring between 7.30 a.m. and 12.30 p.m. on Saturday and between 7.30 a.m. and 5.15 p.m. on other days, subject to the recognized meal hours or intervals and smoke-oh of ten minutes each morning and afternoon, but no other breaks imposed by the employer.

(b) If a five-day week is worked the ordinary daily total of working hours shall be 8 4/5ths, and if a six-day week is worked such total shall be four on Saturday and eight on any other day.

(iii) The employer may require employees to work such ordinary weekly total on a shift or relay, being one of either two or three shifts or relays worked in the 24 hours, but subject only to the following conditions:—

(a) Each shift shall be worked in one period with no break except for recognized meal intervals and smoke-oh.

(b) In each shift during which the employee does not receive the same amount of time for a meal interval or smoke-oh as that which day workers receive under this Determination he shall be paid at ordinary rates for twenty minutes crib time and two smoke-ohs of ten minutes each.

(c) For work done at any time during a shift which comprises within its period any time falling within the time of beginning at 7 p.m. and ending at the next following 6 a.m., the ordinary rate of pay shall be increased by 7 1/2 per cent.

(d) Where practicable shifts shall be changed in rotation each week.

**Part 2.—Persons employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.**

(14) **OVERTIME, &c.**—(a) Except as in this Determination otherwise provided, all time worked in excess of the ordinary weekly or daily hours of work shall be paid at one and a half times the ordinary prescribed rate for the first four hours, and at double the ordinary prescribed rate for the time thereafter.

(b) Horse drivers who, in excess of such weekly or daily total hours of work, are required to spend time in taking charge of teams at the yard, camp, or stable, or in returning teams thereto, shall be paid for such time at the ordinary rate.

(c) If an employee is required by his employer to be for any time anywhere only for the purposes of the employer in respect of the business in which the employee is employed, the employee shall be deemed to be on duty for the employer during such time, and shall be paid at the appropriate prescribed rate (if any) for so much of such time as is spent in work, and at the ordinary minimum rate for so much of such time as is not so spent.

Provided that this clause shall not apply to any time spent by an employee in the course of going to or coming from any yard, camp, stable, depot or picking-up place of the employer, or in the course of going to a place of the employer, or in the course of going to a place of work for the purpose of starting work, or in the course of coming therefrom after ceasing work.

(d) Employees recalled to work after the expiration of their customary working time for the day, and after they have left work for the day, shall be paid at the least as for working two hours at one and a half times the prescribed rate.

(15) **TERMS OF ENGAGEMENT.**—(a) Subject to exceptions and limitations hereinafter contained any employer shall have the option of engaging any employee either by the week or casually.

(b) (i) If the engagement is by the week it shall be for a continuous period of at least eight weeks, and thereafter shall be terminable on either side by a week's notice which may be made to expire at any time during a week of the employment. Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled in respect of wages for the then current week's employment, only to payment proportionate to the aggregate of time worked by him, and of such other previous time (if any) in that week as to which under this Determination no deduction from his week's wages is allowable.

(ii) An engagement shall be deemed to be and to continue casual unless the employer, at the commencement of the engagement or before any change by him of a casual engagement of the employee to one by the week, expressly notifies the employee that he is to be engaged by the week.

Employees on casual engagement shall be paid at the rate of time and a quarter.

(iii) The employer shall have the right to deduct payment for any day upon which the employee cannot be employed usefully because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

(iv) No deduction shall be made from the wages of any employee unavoidably absent through illness for not more than four working days in each year, i.e., one day for each three months service, commencing 1st December, 1941, provided he has submitted, within 48 hours of the commencement of such absence, satisfactory evidence to the employer or his representative that that same was not the result of his own misconduct.

Provided that where, under any scheme of insurance or an accident relief or provident fund to secure the benefit of which the employer has paid the necessary premium, or under any Workers' Compensation Act, compensation becomes payable for any of such days of absence, the employer shall not be bound to pay more of such wage than is sufficient, with such compensation, to make up the full pay for any such days.

(16) **SUNDAYS AND HOLIDAYS.**—(a) Except as herein provided otherwise, if an employee is required to work on a holiday or on a Sunday, he shall be paid at double the ordinary prescribed rate.

(b) If a casual employee desires to work on a holiday and with the consent of the employer does so work, he shall be paid therefor at the ordinary prescribed rate.

(c) In the case of any other employee engaged by the week no deduction shall be made from his wages for the week because of his not working on a holiday.

(d) The expression "holiday" means any of the following days:—Australia Day, New Year's Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day and Boxing Day.

(17) **ANNUAL LEAVE.**—Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of holidays prescribed in clause (16)) in each year on full pay. Should the service be of any less period, the annual leave shall be computed on the basis of one day for each two months of service.

Piece-workers on annual leave shall be paid the same rate of pay as time-workers.

If the employee does not receive such leave, he shall be paid, in addition to any other moneys payable to him under this Determination, a week's pay.

(18) **ALLOWANCES.**—Employees who, in order to be available for their work, have to live in a camp established either by the employer or employees for the purpose of enabling employees to be so available by living therein, shall be paid a camping allowance of 1/- for each day on which they are required to hold themselves, and do hold themselves available in the camp throughout the said day to serve the employer's purpose on that or any other day, whether or not work is done on the said day, but this clause shall not apply to any Sunday, unless the employee is required to work on that Sunday.

(19) **WASHING FACILITIES.**—Each employer shall make available adequate washing facilities, with an ample supply of water in proper containers supplied by the employer.

(20) **TIME RECORD.**—(a) The employer shall keep a record of the names of the employees of such employer, and in respect of each such employee, a record from week to week of the periods, times and class of work done, and the rates of wage and amounts of wages paid, and shall obtain from week to week the signature of each employee to such record.

(b) The secretary or duly accredited representative of the Federated Fodder and Fuel Trades' Industrial Union authorized in writing to that effect by such secretary shall be allowed, on any day coming two days after a pay day between 10 a.m. and noon, or at such other times as may be agreed upon, to inspect such records so far as may be reasonably necessary to obtain information therefrom relating to any member or members of the said union.

(21) **WET WEATHER PROVISIONS.**—(1) (a) In the event of rain being sufficiently heavy to justify a temporary cessation of work, such work shall cease forthwith, and during the cessation of work employees shall hold themselves in readiness for work during ordinary working hours, and shall be paid for the actual time of waiting at ordinary time wages rates of pay.

(b) When weather conditions are suitable employees shall resume work immediately.

(2) If the employer's representative considers the weather justifying the cessation of work is likely to continue for a lengthy period the payment, as set forth in sub-clause (1), may be discontinued, and employees shall not be bound to hold themselves in readiness for a resumption of work.

Provided that, for any day on which an employee is permitted to commence work, he shall be entitled to payment as though he had worked for a minimum of four hours.

(22) **SPECIAL TREATMENT OF INJURED.**—The employer, as soon as reasonably possible, shall supply means free of charge to convey to the nearest hospital or doctor any employee so seriously injured that it is not reasonably possible for such employee to travel independently of such conveyance.

**Part 2.—Persons employed in the process, trade, business or occupation of burning, grinding, grading, or distributing charcoal.**

(23) **FIRST AID AND MEDICAL OUTFIT.**—The employer shall provide at every main place of employment a first aid outfit. Such outfit shall consist of at least the following :—Boracic acid, iodine, picric acid (bottle solution), 1-in. bandages, lint, cotton, triangle bandages, lysol, permanganate of potash, snake-bite scarifier, splints capable of being used in 12-in. lengths, and one pair of scissors.

**CHARCOAL BURNING—**

(24) **CHARCOAL BURNING.**—(1) The lowest prices to be paid to any person employed burning charcoal from wood which has to be transported not more than half a mile to the retort or kiln in which it is to be burned shall be those prescribed in the following schedule, viz. :—

	Price per Ton of Charcoal.	
	(a) Where more than 50 per cent. of the wood used has to be felled.	(b) In circumstances other than (a).
	<i>s. d.</i>	<i>s. d.</i>
Grey box, red box, red gum, or ironbark .. .. .	55 0	50 0
Any other variety of wood .. .. .	60 0	52 6

The above prices shall include all necessary cutting, cartage to the retort or kiln, filling and sewing of bags, and the adequate provision by the employer of food for any horse which is being used in connexion with the work.

(2) If the wood to be burned is situated more than half a mile from the retort or kiln, 2s. 6d. extra per ton of charcoal shall be paid for each extra half mile or portion thereof.

(3) The employer shall supply, free of charge, all tools, vehicles, and equipment necessary.

R. J. EDWARDS, Chairman.

REX L. CECIL, Secretary.

Melbourne, 5th February, 1942.

