



VICTORIA GOVERNMENT GAZETTE.

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No. 75]

THURSDAY, APRIL 15.

[1943

Factories and Shops Acts.

DETERMINATION OF THE CARPENTERS BOARD.

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

Carpentry and Joinery were proclaimed on 28th November, 1928, 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. (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which, since 17th May, 1939, 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 process, trade, or business of—

(i) a carpenter or joiner (other than a carpenter or joiner subject to the Determinations of the Agricultural Implements Board and the Wharfs and Jetties Board);

(ii) fixing or repairing in or on buildings, architraves, skirtings, or mouldings made of sheet metal 10-gauge or lighter;

(iii) fixing metal ceilings or laying wood block or parquetry flooring.

(b) fixing corrugated asbestos-cement sheeting on walls of buildings—

has made the following Determination, namely:—

1. That, as from the beginning of the first pay period to commence on or after the 26th February, 1943, the adjusted Determination, which came into force as from the beginning of the first pay period to commence in February, 1942, shall be revoked and replaced by this Determination.

2.

Wages.

(a)	Total Wage Payable—		
	Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn	Other Parts of Victoria.
Adult Employee (other than Apprentices).			
(i) Engaged on stock work, including 1s. tool allowance ..	£ s. d. 6 2 0 per week	£ s. d. 6 8 6 per week	£ s. d. 5 10 0 per week
(ii) Engaged on shop work (shop or joinery mills or mixed industry) including 2s. 6d. tool allowance ..	6 15 0 per week	7 1 6 per week	6 12 0 per week
(iii) The hourly wage is that amount obtained by dividing the relevant weekly wage set forth in sub-clauses (i) and (ii) hereof by 48 or 44 or such other weekly hours figure as the employee ordinarily works where employed			
(iv) Engaged on building construction work ..	7 1 0 per week or 3 2 ⁵ / ₁₁ per hour	7 7 6 per week or 3 4 ⁵ / ₂₂ per hour	6 18 0 per week or 3 17 ¹ / ₁₁ per hour

The amounts stated in this sub-clause include wartime loadings as follows. For work mentioned in—

(i) hereof at the rate of 4s. per week.

(ii) and (iv) hereof at the rate of 6s. per week.

These loadings are not to be taken into account in the calculation of overtime or other penalty rates prescribed by the Determination.

No. 75.—2949/43.

(b) Where an employee is employed in a "mixed industry" and does building construction work in connexion with such industry, he shall be paid the rate prescribed for shop work in sub-clause (a) hereof, provided that, if within three months after his first employment in such mixed industry his employment shall have been terminated for any other cause than misconduct or his voluntary act, he shall on such termination be entitled to be paid such amount as will, on the whole, make his wages during the period of his employment equal to that payable under sub-clause (a) (iv) (a) hereof for building construction work, the rate per hour being ascertained by dividing the total amount of the weekly rate therein prescribed by the number of standard hours per week then prevailing in that industry.

(c) Where an employee, employed in an employer's shop, works by direction of his employer on a building, fixing therein or thereon material made in such employer's shop, he shall be paid for such work the rate prescribed for shop work in sub-clause (a) hereof, provided that, if within three months after his first employment in such shop his employment shall have been terminated for any other cause than misconduct or voluntary act of the employee, he shall on such termination be entitled to be paid such amount as will, on the whole, make his wages during the period of his employment equal to that payable under sub-clause (a) hereof for building construction work.

3. ALLOWANCES AND ADDITIONAL PAYMENTS.—(i) In addition to the amounts, otherwise prescribed, there shall be paid to:—

(a) A "casual hand," as defined herein, 3d. per hour extra for the time employed, such time not to be less than two hours.

(b) A "leading hand," as defined herein, 1s. per day.

(c) An employee working pursuant to the order of his employer in a "wet place," as defined herein, 1s. per day.

(d) An employee engaged on insulation work, as defined herein, 4d. per hour extra.

(e) An employee engaged in the course of his employment to a job necessitating his absence from home for a night, 6s. per day for the first seven days, and 30s. per week thereafter, together with free transport for himself and his tools.

(f) Shop employee, the ordinary rate for all time reasonably and necessarily taken by him in travelling to and returning from any job outside the employer's works or premises in excess of that ordinarily taken by him in going to such works and premises from his home, and returning thereto, together with all fares necessarily incurred thereby.

(g) Except as to work within a radius of 12 miles of the G.P.O., Melbourne, an employee on construction work, other than an employee in a "mixed industry," all fares necessarily incurred in travelling to and returning from the job to his home above 4d. per day. As to work performed by an employee within the above-mentioned radius, there shall be added to the wages of such an employee, computed as in the Determination prescribed, an allowance at the rate of 2s. per week in lieu of excess fares.

A fare shall be deemed to have been necessarily incurred, under this paragraph, or such additional payment shall be made if the employee uses a bicycle or other means of locomotion, or walks instead of using a public conveyance, but a fare shall not be deemed to have been so incurred or such payment shall not be required to be made where the employer provides or offers to provide a reasonable conveyance free of charge.

(h) An employee, whatever work he be engaged on, who completes his work at night after trains and other public conveyances have ceased running, and for whom the employer does not provide a conveyance to take him home, such sum as will provide such a conveyance.

(i) An employee receiving notice to present himself for work by his employer, and whose services on presentation are not required, the sum of 5s. together with any expenses necessarily incurred in travelling to and from such job, but such expenses shall not be deemed to have been so incurred when the employer provides, or offers to provide, a reasonable conveyance free of charge.

(j) An employee whose clothes or tools have been spoiled by acids, sulphur, or other deleterious substance, such an amount to cover the loss occasioned thereby, as may be agreed upon.

To obtain the benefits of paragraphs (f), (g) (except as to work performed within 12 miles of the G.P.O., Melbourne), and (h) hereof, an employee shall inform the employer on engagement of his place of residence, and in the event of a change of residence shall inform the employer within seven days of his new address. An employee giving an incorrect address shall only be entitled to claim such benefits after seven days' notice of his correct address.

(ii) SHIFTS.—Payment for shift work shall be at the ordinary rates for the first or day shift, and at time and a half for the second and the third shift, if any. This sub-clause shall not apply to carpenters and joiners in a mixed industry where the general body of employees are covered by an Arbitration Court Award, Order, or Agreement, or by a Wages Board Determination other than that of the Carpenters Board.

4. HOURS.—(a) The ordinary working hours of carpenters and joiners employed in shops or joinery mills shall be 44 per week, to be worked between the hours of 7.15 a.m. and 5.15 p.m. from Monday to Friday, inclusive, and between 7.15 a.m. and noon on Saturday.

(b) The ordinary working hours of employees on any building construction shall be 44 per week to be worked between the hours of 8 a.m. and 5 p.m. from Monday to Friday inclusive (with one hour off or such other time as may be agreed upon between the employer and the Society for luncheon between noon and 1 p.m.) and between 8 a.m. and noon on Saturday.

Provided that the Society and any employer party may agree that any earlier time than 8 a.m. may be substituted for 8 a.m. in respect of that employer party.

(c) The ordinary working hours of employees on shift work shall be eight per shift.

(d) Employees employed in a "mixed industry" shall work the hours or shifts in that industry.

5. HOLIDAYS.—(a) An employee shall be entitled to receive the following holidays:—New Year's Day, Australia Day, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Labour Monday, Labour Day and one other day, except as provided hereunder, to be mutually agreed upon by the employer and the Federal Secretary or the State Secretary of the Society. Unless and until otherwise so mutually agreed, such other day shall be King's Birthday.

(b) *Optional Holiday.*—On or before the 7th day of December in each year the Society shall give the employer written notice of the number and names of his employees who do not intend to work during the working days between Christmas Day and New Year's Day. In default of such notice the employer may circularize his employees to obtain such information, and the employees intending not to work on such days shall inform the employer on or before the 14th day of December accordingly.

If the number of employees, whether members of the Society or not, who inform the employer either by means of the Society or otherwise that they do not intend to work on such days exceeds 33 per cent. of all the employees, whether members of the Society or not, in the employer's business, then the employer may, if he chooses, close down his business on those days; provided that he gives notice to his employees on or before the 21st day of December that he intends so to do. Where such number of employees is 33 per cent. or under, then the employer shall keep his business open for work on such days. In cases where the business is kept open for work, the employer may require the employees presenting themselves for work to work in any capacity he appoints, whether in their usual or ordinary work, or not, provided that the employees shall be paid at their usual or ordinary rates for such work as they are called on to do.

If any employee whose name has not been submitted by the Society as provided herein, or who has not informed the employer on or before the 14th day of December that he does not intend to work on the days in question, absents himself from work without just cause or excuse when the business is open for work on such days, then such employee shall be deemed to be guilty of neglect of duty within the meaning of sub-clause (v) of clause 7 hereof. An employee not working on the days in question shall receive no pay therefor.

(c) (i) An employee on weekly engagement shall be entitled to the above-mentioned holidays without deduction of pay.

(ii) In the alternative by agreement between the employer and the Society, payment for each of the above-mentioned holidays shall be deducted from the weekly wage in proportion to the number of hours of the week short worked in consequence of such holiday, but in lieu thereof the amount to become payable therefor shall be ascertained by a calculation on the basis of three-quarters of a day's pay for each month's service, and the sum so ascertained shall be placed to the credit of the employee. Payment shall then be made on the pay day next preceeding such holiday or holidays of an amount not exceeding that standing to the employee's credit and not exceeding the amount hereinbefore previously deducted. On the first pay day after the expiration of each twelve months' service, or on the Determination of his service, the balance, if any, then due to the employee shall be paid to him.

(d) Employees in a "mixed industry" shall be entitled to receive the holidays of the majority of employees in such industry.

6. OVERTIME.—(i) All time worked beyond the ordinary hours of work as set out in Clause 4 shall be paid for at the rate of time and a half for the first two hours, and double time thereafter.

(ii) All time worked on Sundays and the holidays prescribed by Clause 5 hereof shall be paid for at the rate of double time.

(iii) An employee who is required to work overtime for more than two hours after the usual time for ceasing work on any day without receiving notice on the previous day that he will be so required, shall be paid an allowance of 2s. for a meal, or instead shall be supplied by the employer with a reasonable meal.

(iv) An employee who has left the premises in which he is employed and is recalled to work after the usual ceasing time for less than one hour shall receive payment for one hour at overtime rates.

(v) If an employer requires an employee to work during the luncheon time as prescribed in Clause 4 hereof, he shall allow the employee whatever time is necessary to make up the prescribed luncheon time. If an employer requires an employee to work during the prescribed luncheon time, or during such luncheon time and continuously during any further time thereafter up to the substituted luncheon time, he shall pay double time for such work. Provided that the employer shall not be bound to pay in addition for any time allowed in substitution for the prescribed luncheon time, and provided further that if the luncheon time is shortened to 42 minutes at the request of the employee, the employer shall not be required to pay any extra rate in respect of such shortening of the luncheon time.

(vi) Overtime work by shift workers on the second or third shifts shall be paid for at double rates.

(vii) This clause shall not apply to an employee in a "mixed industry" who shall be paid at the rate for overtime of the majority of employees in that industry.

7. TERMS OF EMPLOYMENT FOR WEEKLY EMPLOYEES.—(i) An employee to become entitled to payment of the weekly wages prescribed by this Determination must be ready and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employees to which he belongs.

(ii) Employment during the first two weeks of such engagement shall be from day to day at the weekly rate prescribed, except in the case of a re-engagement within one month after the termination of a previous service of the employee under the employer.

(iii) No employee shall be entitled to payment when absent from work consequent on an accident or personal ill health, not attributable in either case to the employee's misconduct, but otherwise however happening, for more than six days in any one year where the employee usually works six days a week, or for more than five days in any one year where the employee usually works five days a week, and then only when he has produced to the employer or his local manager evidence satisfactory to the employer or his local manager, or in the event of the employer or his local manager not being satisfied, the Secretary for Labour. Such evidence is to be submitted to the employer or his local manager within 48 hours, or to the Secretary for Labour within what is, in the opinion of the Secretary for Labour, a reasonable time in the particular circumstances. Provided that where, under any scheme of insurance or of an accident, relief or provident fund to secure the benefit of which the employer has paid the necessary premium, 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 of any of such days.

(iv) Subject to the provisions of sub-clauses (v) and (vi) hereof, a week's notice of the termination of such engagement shall be given on either side. Such notice may be given on any day during the week to terminate such engagement on the corresponding day of the following week, or on any later day thereof.

(v) The employer may dismiss any employee peremptorily without notice for malingering, inefficiency, neglect of duty, or misconduct, and pay the employee's wage up to the time of dismissal only.

(vi) The employer may deduct payment for any day the employee cannot be usefully employed because of any strike, by for participation in any strike by the Society or any branch of the Society or by any members or member of the Society employed by the employer or because of any strike by or participation in any strike by any other Union, or by any branch of any other Union, or by any members or member of any other Union employed by the employer, or because of any breakdown of machinery, or because of any other stoppage of work for any other cause for which the employer cannot be held responsible.

(vii) This clause does not apply to persons employed in a "mixed industry" where the general body of employees in such industry are covered by some other Award, Order, Agreement, or Wages Board Determination.

8. PAYMENT OF WAGES.—(i) Except as in sub-clause (ii) hereof, payment of wages shall be made on any day in the week not later than Friday. An employer shall not keep more than one day's pay in hand. An employee whose services end before pay time shall be paid at or before the time of its ending, or by post or otherwise, within 24 hours thereafter. Weekly employees shall be paid within fifteen minutes of ceasing work, and if not paid within such fifteen minutes, they shall be paid or all time they are kept waiting after the time of ceasing work at overtime rates.

(ii) This clause does not apply to persons employed in a "mixed industry" where the general body of employees in such industry are covered by some other Award, Order, Agreement, or Wages Board Determination.

9. TOOLS.—(i) The employer shall provide the following tools when they are required on the job:—Dogs and cramps of all descriptions, bars of all descriptions, augers of all sizes, star bits, bits not ordinarily used in a brace, all hammers except claw hammers, glue pots and brushes, dowel plates, tramells, hand-and-thumb screws, spanners, and soldering irons.

(ii) When an employee is discharged, he shall be allowed one and a half hours for grinding tools, or shall receive instead one and half hours' pay. This sub-clause shall not apply to an employee engaged as a "casual hand" or to an employee dismissed for misconduct or inefficiency.

(iii) The employer shall provide for the use of carpenters and joiners a suitable grindstone on any job where a grindstone is reasonably necessary, together with power (hand or driven) for turning the same.

10. LOCK-UP FOR EMPLOYEES TOOLS.—On all jobs in towns and cities the employer shall provide a suitable waterproof lock-up in which to store employees' tools.

11. POSTING NOTICES.—No employer shall prevent an official of the Society from posting at any time a copy of this Determination, or any notice of the Society, not exceeding 14 inches by 9 inches, in a suitable place on any job.

12. TIME BOOKS.—The employer shall keep a record showing the names of the employees, the number of hours worked, the rates of pay, and the wages paid to the employees from week to week.

13. SANITARY CONVENIENCES AND BOILING WATER.—Employers shall provide on all jobs suitable sanitary convenience and boiling water ready for the luncheon time when it is necessary. This clause shall not apply to persons employed in a "mixed industry" where the general body of employees in such industry are covered by some other Award, Order, Agreement, or Wages Board Determination.

14. JUNIOR LABOUR.*—(i) The proportion of unapprenticed boys to journeymen employed shall not exceed one to four on buildings and one to six in shops or joinery mills, provided that any employer who employs two adults may employ one unindentured boy.

(ii) Unindentured boys shall receive the same rate of wages as is prescribed in sub-clause (v) of clause 15 hereof, and shall receive overtime and allowance in accordance with sub-clause (xi) of that clause.

(iii) No unindentured boy under nineteen years of age shall be allowed to attend winches, sling timber or work power-driven machinery.

* NOTE.—The employment within the Metropolitan District of any unindentured boy is illegal.

15. APPRENTICES (except those covered by the Apprenticeship Commission).—(i) All apprenticed boys employed in the trade shall be legally indentured for five years, in accordance with the form of indenture prescribed by the Board, but each boy shall be allowed three months' probation, which shall be reckoned portion of his apprenticeship should he be afterwards indentured.

(ii) The proportion of apprenticed boys to journeymen in shops or joinery mills shall not exceed two apprentices to three journeymen or fraction thereof.

The calculation of the above proportion shall be based, when a new apprentice is proposed to be taken on, upon the aggregate number of employees on full time employment for the six preceding months. If an employer is actually working in the trade, he shall count as one journeyman.

(iii) If an employer is unable to fulfil his obligation to an apprentice, it shall be lawful for such apprentice to complete his term with another employer, who may take and employ him as such apprentice, and for that purpose such employee, if required so to do, shall assign the deed of apprenticeship to such other employer.

(iv) No employer shall be entitled to take an apprentice unless he has been in business for at least one year, but this shall not apply to joinery mills.

(v) Apprentices' wages shall be not less than the following :—

	Wage.	Loading (constant).	Total Wage.
	Per week. s. d.	Per week. s. d.	Per week. s. d.
First year	19 6	0 6	20 0
Second year	24 6	0 6	25 0
Third year	38 9	1 0	39 9
Fourth year	49 6	1 6	51 0
Fifth year	66 0	2 0	68 0

(vi) Every apprentice shall, during the second and third year of his apprenticeship, attend, at least two nights in each week, the classes in joinery and building construction and architecture provided at a Technical College, and the fees actually paid per quarter shall, unless such fees have been paid by the State Government, be refunded by the employer on production of a certificate from the Instructor that the apprentice has satisfactorily attended the classes during such quarter.

(vii) Should an apprentice at the time of being apprenticed produce a certificate from a technical school that he has attended a technical school in two of the three subjects named for one year prior to being apprenticed, he shall be entitled to 2s. 6d. extra per week in addition to the wages hereinbefore provided in sub-clause (v) hereof.

(viii) Should an apprentice during the third or any subsequent year of his apprenticeship produce a certificate from the examiners, that he has attended a two years' course and passed an examination at a Technical school in two out of the three subjects named, he shall be entitled to be paid an additional sum of 2s. 6d. per week in addition to the wages prescribed by sub-clause (v) hereof, and in addition to the 2s. 6d. prescribed in sub-clause (vii) hereof, where payable, for the remainder of the term of his apprenticeship.

(ix) Any employers having apprentices other than those in joinery mills shall provide all heads, hollows, rounds, ploughs, cash fillisters and moulding planes required for the use of the apprentices.

(x) No apprentice under nineteen years of age shall be allowed to attend winches, sling timber or work power-driven machinery.

(xi) Where apprentices are required to work overtime, or are sent to distant jobs, &c., all provisions covering journeymen shall, in regard to rates of pay, be proportionately and, in regard to travelling expenses, be equally applicable.

16. DEFINITIONS.—(a) "Carpenter making stock work" means any person making stock doors not larger than 7 feet by 3 feet by 2 inches, double insertion moulded, or ledge doors of the same size; stock sashes not larger than 6 feet by 3 feet by 1½ inches, or stock frames for same; ladders, step-ladders, skirt-ironing boards, shirt-ironing boards, boot-cutting boards, paste-boards, clothes-horses, fly-wire doors, fly-wire windows, tree-guards, dog-kennels, wheelbarrows, water closets (other than pedestal seats).

(b) "Casual hand" means any hourly employee employed for a period of less than five days—exclusive of overtime—not dismissed summarily for misconduct or inefficiency and not voluntarily leaving his employment.

(c) "Insulation work" means such work as involves the handling of charcoal, pumice, or other recognized insulating material, but does not include the handling of malthoid or the making of ice-chests or insulated doors, nor such work as is ordinarily done in a factory.

(d) "Leading hand" means such tradesman as is given the responsibility by the employer or his duly authorized representative of directing and supervising the work of not less than two other tradesmen.

(e) "Mixed industry" means an industry where the work performed by carpenters (that is, any work to which this Determination applies) is subsidiary and auxiliary to the chief and principal purpose and business of such industry.

(f) "Rate of double time" for weekly employees means, as to holidays in sub-clause (ii) of Clause 6 hereof, and as to continuous work after overtime work during luncheon hour in sub-clause (v) of Clause 6 hereof, an extra payment at the ordinary rate in addition to the rate ordinarily receivable.

(g) "Wet place" means a place where water is dripping from overhead so that the clothing of an employee becomes saturated, or a place where the employee has to stand in water exceeding 2 inches in depth, so that the feet of such employee become wet.

(h) "Society" means the Victorian Section of the Amalgamated Society of Carpenters and Joiners of Australia.

(i) "Carpenter and joiner" means any person engaged upon construction work, including erection, repair, ornamentation, demolition, or any other forms of such work, and upon the making, preparing and fixing of all necessary woodwork and fittings in connexion therewith, and upon the making, preparing and fixing of any other material necessitating the use of carpenters' tools or machines in lieu thereof, including metal shop fronts and fittings, and upon the work done by carpenters and joiners in any engineering or millwright workshop or yard.

17. PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in Clause 2 are based upon the following basic wage and, pursuant to 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. The basic wage rates shown hereunder shall be adjusted as prescribed in Clause 18.

Table "A" Basic Wage.

Place.	Needs Basic Wage Adjustable.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	£ s. d.	£ s. d.	
Victoria— Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts Yallourn—6s. 6d. in excess of basic wage for Melbourne. Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.	4 12 0	0 6 0	4 18 0	Melbourne

18. ADJUSTMENT OF BASIC WAGE.—For work done before the beginning of the first pay period to commence in May, 1943, the amounts of the basic wage shall be as prescribed in Clause 17.

For work done during each future pay period of or near a quarter beginning with the first pay period to commence in a May, an August, a November, or a February, the amounts 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 to a place is that assigned thereto in clause 17.
- (2) The index number for the calendar quarter next preceding the period of or near a quarter 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 amount assigned during such successive period.

Table "B".

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
994-1006	4 1 0	1118-1129	4 11 0
1007-1018	4 2 0	1130-1141	4 12 0
1019-1030	4 3 0	1142-1154	4 13 0
1031-1043	4 4 0	1155-1166	4 14 0
1044-1055	4 5 0	1167-1179	4 15 0
1056-1067	4 6 0	1180-1191	4 16 0
1068-1080	4 7 0	1192-1203	4 17 0
1081-1092	4 8 0	1204-1216	4 18 0
1093-1104	4 9 0	1217-1228	4 19 0
1105-1117	4 10 0	1229-1240	5 0 0

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

19. In addition to the Total Basic Wage prescribed in Clause 17, the margins and war loadings set out in this Clause shall be the minimum rate payable to employees named therein.

Classifications.	Margin per Week.	War Time Loading per Week.
	£ s. d.	s. d.
Employees engaged on stock work, including 1s. tool allowance	1 0 0	4 0
Employees engaged on shop work (shop or joinery mills or mixed industry), including 2s. 6d. tool allowance	1 11 0	6 0
Employees engaged on building construction work 6s. in addition to the rate for shop work, viz. . .	1 17 0	6 0

The above-mentioned loadings are not subject to adjustment pursuant to fluctuations in the cost of living and are not to be taken into account in the calculation of overtime or other penalty rates prescribed by the Determination.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 12th April, 1943.



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, APRIL 15.

[1943

Factories and Shops Acts.

DETERMINATION OF THE ASBESTOS-CEMENT WORKERS BOARD.

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

(b) On the 27th November, 1934, the Cement Articles Board was deprived of the power 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 making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material, and such power was conferred exclusively on the Asbestos-Cement Workers Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since 24th April, 1939, has had the power 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 making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material;

has made the following Determination, namely:—

(1) That on the 22nd March, 1943, the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1943, shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.				Other Employees.			
Wages.				Wages.			
Per Week of 44 Hours.				Per Week of 44 Hours.			
Adjustable Weekly Rate.	Non-adjustable War Loading.	Total Weekly Rate.		Adjustable Weekly Rate.	Non-adjustable War Loading.	Total Weekly Rate.	
s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	
16 and under 17 years of age ..	34 9	1 0	35 9	Wet Machine Leading Hand (where in sole charge of running) ..	109 0	5 0	114 0
17 and under 18 years of age ..	38 11	1 2	40 1	Mixer Attendant in Charge ..	108 0	5 0	113 0
18 and under 19 years of age ..	46 2	1 4	47 6	Asbestos Disintegrator (asbestos treatment) attendant ..	107 0	5 0	112 0
19 and under 20 years of age ..	56 8	1 7	58 3	Leading cutter-off ..	106 0	5 0	111 0
20 and under 21 years of age ..	71 6	2 1	73 7	Accessories moulders ..	106 0	5 0	111 0
				Wiremen in charge of Pressure Pipe Machine ..	106 0	5 0	111 0
				Wet trimmer (Power Guillotine only) ..	105 6	5 0	110 6
				Dry trimmer in charge of Power-Cutting Machines ..	105 6	5 0	110 6
				Cutters and turners Pressure Pipe	105 6	5 0	110 6
				Leading attendant Pressure Pipe	105 6	5 0	110 6
				Curing Tanks ..	105 6	5 0	110 6
				Men engaged in formation of corrugated sheets ..	104 0	5 0	109 0
				All others ..	103 0	5 0	108 0

No apprentices or improvers under the age of sixteen years to be engaged.

PROPORTION (IN ANY PLACE).

Apprentices and Improvers.

Two apprentices or improvers to every three or fraction of three workers receiving not less than 108s. per week of 44 hours.

(3) ALLOWANCE FOR AFTERNOON AND NIGHT SHIFT.—Persons working on afternoon or night shift, shall be paid at the rate of 5s. per week in addition to the rates set out in Clause (2).

(4) OVERTIME.—Time and a half shall be paid for all work done:—

(a) outside the usual starting and finishing times.

(b) within the usual starting and finishing time, in excess of the number of hours fixed as a week's work, provided that a shift worker shall not be entitled to overtime unless he has worked—

(i) more than 132 hours during any three consecutive weeks when working on a weekly rotation of shifts, or

(ii) 264 hours during any six consecutive weeks when he is working on a fortnightly rotation of shifts, or

(iii) more than 396 hours during any nine consecutive weeks when he is working on a three-weekly rotation of shifts.

Provided further that sub-clause (iii) hereof shall not be adopted without consultation and agreement between any employer and his employees' accredited representatives.

(5) **EMPLOYMENT FOR LESS THAN A FULL WEEK.**—Employees who work during any week for less than 44 hours shall be paid for the first 22 hours at the rate of time and a quarter and for all time thereafter ordinary time up to but not exceeding the ordinary wages rate for an ordinary week's work. Provided that if an employee voluntarily terminates his employment or is dismissed for misconduct or neglect of duty he shall be paid only the ordinary rate of wages for the number of hours actually worked.

This clause shall not apply in the case of a shiftworker who, subject to clause (4), is paid three weeks' wages in respect of three consecutive weeks' work; nor in the event of any breakdown of machinery or plant which prevents the continuation of production.

(6) **HOLIDAYS.**—All employees shall be entitled to the ten holidays hereinafter mentioned without any deduction from the weekly rate of pay, viz.:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

This shall not affect the right of an employer to require any employee to work on any such day (except Anzac Day) provided that such employee is paid the extra rates as set out in clause (7) (Special rate for Sundays and Holidays).

(7) **SPECIAL RATE FOR SUNDAYS AND HOLIDAYS.**—Double time shall be the special rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays then the special rate shall be payable only for the day so substituted.

(8) **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 as holidays with pay a period of one week in each year (exclusive of the holidays mentioned in clause (6)) within the ensuing twelve months at a time suitable to the employer. Provided that any employee who leaves or is dismissed before the expiration of any twelve months' service shall be given or paid for holidays *pro rata* in accordance with the length of service, viz., one day for each completed two months of service.

(9) **MEAL ALLOWANCE.**—A meal allowance of 2s. shall be paid to an employee in respect of any day on which he is required to work for a period of not less than two hours after the usual finishing time, unless he is notified by the employer on the previous day that he will be required to work such extra time.

(10) **SICK LEAVE.**—Any employee who has been in the service of the same employer for a period of not less than six (6) months, shall be entitled to a maximum aggregate of four (4) days sick leave of absence, with full pay, during each subsequent twelve (12) months' service, provided that he produces within 48 hours, after the commencement of such absence, evidence satisfactory to the employer that such absence was caused by personal ill-health.

(11) **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 apprentices and improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest *id.*, half or less than half of *id.* to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (12).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	4 12 0	Melbourne

(12) **ADJUSTMENT OF BASIC WAGE.**—(a) Until the beginning of the first pay period to commence in May, 1943, the amount of the basic wage shall be as prescribed in clause (11).

(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 set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of or near a quarter 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.
994-1006	4 1 0	1118-1129	4 11 0
1007-1018	4 2 0	1130-1141	4 12 0
1019-1030	4 3 0	1142-1154	4 13 0
1031-1043	4 4 0	1155-1166	4 14 0
1044-1055	4 5 0	1167-1179	4 15 0
1056-1067	4 6 0	1180-1191	4 16 0
1068-1080	4 7 0	1192-1203	4 17 0
1081-1092	4 8 0	1204-1216	4 18 0
1093-1104	4 9 0	1217-1228	4 19 0
1105-1117	4 10 0	1229-1240	5 0 0

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

A. V. BARNES, J.P., Chairman
J. W. RYAN, Secretary.

Melbourne, 12th April, 1943.