



VICTORIA GOVERNMENT GAZETTE.

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[1945

Factories and Shops Acts.

DETERMINATION OF THE BRICKLAYERS BOARD.

NOTE.—(1) This Determination applies to the whole of the State of Victoria.
(2) On the 7th July, 1926, the power to determine the lowest prices or rates which may be paid to any persons employed laying or fixing faience or majolica on floors, walls, or ceilings, was taken from the Tilelayers Board and conferred exclusively on the Bricklayers Board.

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 (other than labourers) wheresoever employed in the process, trade or business of a bricklayer," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 2nd August, 1945, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

* WAGES.

(a) Apprentices.—PER WEEK OF 44 HOURS.				Improvers.—PER WEEK OF 44 HOURS.			
	Weekly Rate.	War Time Loading.	Total Weekly Wage.		Weekly Rate.	War Time Loading.	Total Weekly Wage.
	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.
1st year	26 3	1 0	27 3	1st six months	21 9	1 0	22 9
2nd year	39 9	1 6	41 3	2nd six months	31 9	1 6	33 3
3rd year	64 0	2 6	66 6	2nd year	45 9	2 0	47 9
4th year	72 0	3 0	75 0	3rd year	74 3	3 0	77 3
5th year	89 9	3 6	93 3	4th year	95 9	4 0	99 9
				5th year	112 3	4 6	116 9

PROPORTION (IN ANY PLACE).

One apprentice to every three bricklayers or fraction thereof receiving not less than the minimum wage of 144s. 2d. per week of 44 hours.

An amended indenture of apprenticeship was approved on 7th September, 1940.

PROPORTION (IN ANY PLACE).

One improver to every four bricklayers or fraction thereof receiving not less than the minimum wage of 144s. 2d. per week of 44 hours.

(b)

Other Employees.—PER WEEK OF 44 HOURS.

	Weekly Rate.	War Time Loading.	Total Weekly Wage.	Per Hour.
	s. d.	s. d.	s. d.	s. d.
Foreman bricklayer in charge of three or more employees	145 9	6 0	151 9	3 5 ¹⁷ / ₄₄
Provided that in every case, a foreman bricklayer shall receive not less than 2½d. per hour in excess of the highest rate prescribed for any employee working under the control of such foreman.				
Bricklayers employed on sewerage work, drainage work, or underground work not connected with building construction	145 9	6 0	151 9	3 5 ¹⁷ / ₄₄
Bricklayers employed in the construction of, and/or repairs to gas retorts for the manufacture of gas, or retorts used in the manufacture and/or refining of oil from shale or coal—				
(a) Where the temperature does not exceed 140° Fahrenheit	162 3	6 0	168 3	3 9 ³⁹ / ₄₄
(b) Where the temperature exceeds 140° Fahrenheit	177 10	6 0	183 10	4 2 ²⁹ / ₂₂
Bricklayers employed on old firework and/or repairs to boilers, bakers' ovens, furnaces, and all work pertaining thereto—				
(a) Where the temperature does not exceed 140° Fahrenheit	162 3	6 0	168 3	3 9 ³⁹ / ₄₄
(b) Where the temperature exceeds 140° Fahrenheit	177 10	6 0	183 10	4 2 ²⁹ / ₂₂
Bricklayers employed on all new firework, construction of stills, towers, and acid resisting brickwork, and all work pertaining thereto other than repairs to same	145 9	6 0	151 9	3 5 ¹⁷ / ₄₄
Bricklayers employed on repair work to acid furnaces, acid stills, acid towers, and all other acid resisting brickwork	177 10	6 0	183 10	4 2 ²⁹ / ₂₂
Bricklayers laying glass bricks	138 2	6 0	144 2	3 3 ⁷ / ₂₂
Bricklayers engaged below ground level (in underpinning the foundation of an adjoining building)	143 6	6 0	149 6	3 4 ¹⁷ / ₂₂
All other bricklayers	138 2	6 0	144 2	3 3 ⁷ / ₂₂
Persons employed laying or fixing faience or majolica on floors, walls, or ceilings	138 2	6 0	144 2	3 3 ⁷ / ₂₂
Bricklayers employed building chimney stacks shall be paid—				
Over 50 feet to 100 feet, 1s. 0½d. per day extra.				
And for every additional 50 feet or fraction thereof, 1s. 0½d. per day extra.				

* NOTE.—Section 151 Act 3677 reads as follows:—"When in any Determination a Wages Board has fixed a wages rate only for wholly or partly preparing or manufacturing either inside or outside a factory, any articles or for doing any work, then it shall not be lawful for any person to pay or authorize or permit to be paid therefor any piecework prices, and the receipt or acceptance of any piecework prices shall not be deemed to be payment or part payment of any such wages."

ALLOWANCES.

Fares.

3. (a) An amount of 3s. 6d. per week shall be made in lieu of fares on all work performed within 12 miles of the Post Office at the corner of Bourke and Elizabeth streets, Melbourne, or the principal Post Offices of the cities of Ballarat, Bendigo, or Geelong. When work is performed outside that area an employee shall be paid all fares necessarily incurred in travelling to and from the job to and from his residence.

When an employee is engaged to work at such a distance that he is unable to return to his residence the same night he shall be paid, in addition to any other rates to which he is entitled:—

- (i) When the time occupied on the job is less than a working week, 10s. per day, and when such time is in excess of a working week, an allowance at the rate of £2 2s. per week. The amounts prescribed herein shall not be payable if suitable board and lodging has been provided by the employer.
- (ii) The fares necessarily expended, in addition to travelling time at ordinary rates.

Sub-clauses (i) and (ii) of this clause shall not apply to an employee unless he notifies the employer or his representative of his place of residence before being engaged.

Travelling.

(b) A travelling allowance of 1s. 4d. per day, as compensation for time lost in going to, and returning from work, shall be paid to each employee for each day he attends for work on the job at which he is for the time being engaged.

Inclement Weather.

(c) Each employee shall be paid an allowance at ordinary rates for time lost through inclement weather, not exceeding the equivalent of eight hours' pay in any one week. The question as to whether weather is inclement shall be a matter of agreement between the employer, or his representative on the job, and a representative of the men on such job. An employee shall not be entitled to payment as provided in this sub-clause unless he remains on the job until a decision to cease work has been arrived at between the representatives mentioned.

PAYMENT OF WAGES.

4. (a) All wages due shall be paid not later than Thursday in each week.

(b) An employer shall not keep more than one day's pay in hand.

(c) If an employee leaves or is dismissed he shall be paid his wages on leaving or being dismissed, or paid by post or otherwise within 24 hours thereafter. If wages are not paid within the time prescribed in this paragraph, the employee shall be deemed to continue to be employed at ordinary rates until such wages are paid.

(d) All other wages shall be paid during ordinary working hours.

TIME OF BEGINNING AND ENDING WORK.

5. The times of beginning and ending work for persons (other than those employed on sewerage work, drainage work, or underground work not connected with building construction) shall be:—

(a) Within the following part of the city of Melbourne, namely, in Flinders-street, Spencer-street, Victoria-street, and Spring-street, and within the area enclosed by such streets:—

Time of Beginning.	Time of Ending.
8 a.m.	5 p.m. Monday to Friday inclusive.
8 a.m.	12 noon on Saturday.

(b) All other places—

Time of Beginning.	Time of Ending.
7.45 a.m.	5.15 p.m. on each of five days in the week.
7.45 a.m.	12 noon on the other working day of the week on which the half-holiday is usually observed.

OVERTIME.

6. (a) Persons employed on sewerage work, drainage work, or underground work not connected with building construction, shall be paid:—

For work done in excess of 44 hours in any week Time and a half.

(b) Persons employed on any other work shall be paid:—

For work done within the hours fixed as the time of beginning and ending work—

(i) In excess of 4 hours on the day on which the half-holiday is usually observed and 8 hours on the other working days of the week Time and a half.

(ii) In excess of 44 hours in any week Time and a half.

For work done on the weekly half-holiday after 12 noon Double time.

For work done on the other working days of the week—

Between the time of ending work as prescribed in clause 5 and 8 p.m. Time and a half.

Between 8 p.m. and midnight Double time.

Between midnight and the time of commencing work as prescribed in clause 5 Double time.

REST INTERVAL.

7. There shall be an interval of ten minutes at a time fixed by the employer between 9.30 a.m. and 10 a.m. for rest on each day Monday to Friday inclusive in each week for each employee, such time to count as time worked. Boiling water for tea shall be provided by the employer for the employee during such interval if the employee so desires.

FIRST-AID OUTFIT.

8. An efficient first-aid outfit shall be supplied on all jobs where building permits are necessary.

TRANSPORT.

9. If an employee is required to work overtime or on a Sunday or holiday (mentioned in clause 15) and no regular means of conveyance is available the employer shall at the request of the employee provide suitable transport to convey him to the job or to his residence as the case may be. If the employer fails to provide such transport he shall pay to the employee such reasonable amount as has been necessarily incurred by him.

TERMINATION OF EMPLOYMENT.

10. Except in a case where an employee has been guilty of a misdemeanour one hour's notice of termination of employment shall be given by either employer or employee. If such notice be not given, one hour's pay shall be paid or forfeited, as the case may be, in lieu thereof.

DEFINITION OF FOREMAN.

11. Where four or more bricklayers are employed on any job, one shall be a foreman and entitled to the rate prescribed for such a foreman.

TOOLS.

12. Each employer shall provide at the works a safe and suitable place for the tools of his employees.

SHELTER.

13. Each employer shall provide suitable dressing accommodation with a dry floor, and including seating, on all jobs unless it is impracticable to do so due to site conditions or building regulations. Where five or more men are employed, and the work is estimated to last two weeks or more, a shelter shed based on six square feet per person with a minimum of 50 square feet, shall be provided. Such shed shall be for the exclusive use of workmen and not used for the storage of building materials.

WORKING IN EXCESSIVE HEAT.

14. When a bricklayer in the last two hours of his day's work is working in artificial heat exceeding 140° Fah. he shall be allowed ten minutes of working time in which to cool off.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

15. All work done on—Sundays, Good Friday, Easter Monday, Australia Day, Labour Day, Anzac Day, Christmas Day, Boxing Day, and New Year's Day—shall be paid for at the rate of double time; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for the day so substituted.

ANNUAL LEAVE.

16. (a) Subject to the provisions of sub-clauses (c) and (d) hereof, a period of 44 consecutive hours of working time shall be allowed as leave annually to all employees after twelve months' continuous service with an employer. Unless otherwise mutually agreed upon between an employer and the employee concerned, in which case the leave shall be given and taken within three months of becoming due, such leave shall be given and taken in conjunction with the Christmas and New Year Holidays.

(b) If after 88 hours' continuous service (exclusive of overtime) in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer, the employee shall be paid one twenty-sixth of a week's wage in respect of each such completed 88 hours' continuous service in respect of which leave has not been granted hereunder.

(c) Where an employee absents himself from work during any qualifying period of service for any reason other than a reason set out in sub-clause (d) hereof, the amount of leave or payment in lieu to which he would otherwise be entitled under sub-clauses (a) and (b) hereof, shall be reduced by 1/50th for each week or part thereof during which any such absence occurs.

(d) For the purpose of administering the provisions of the previous sub-clauses of this clause service shall be deemed to be continuous notwithstanding an employee's absence from work for the following reasons:—

(i) Injury received during the course of employment, and for which an employee receives Worker's Compensation—up to a maximum period of two months;

(ii) Any reason satisfactory to the employer or, in event of dispute, the Secretary for Labour.

(e) Each employee, before going on leave, shall be paid in advance the wage which would ordinarily accrue to him during the currency of the leave.

DISABILITIES LOADING.

17. The disabilities loading (9s. 7d. per week) included as part of the ordinary wage in clause 2 (b) represents approximately 17 9/16 days' pay per annum in payment or compensation for—

(a) Eight public holidays in each year;

(b) Time lost through following the job, estimated as 9 9/16 days each year.

PERIODICAL ADJUSTMENT OF WAGES.

18. The wages rates for adults 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. The wages of apprentices and improvers, shall be adjusted proportionately to adjustments of the basic wage such adjustments to be calculated 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 19.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Throughout the State	£ s. d. 4 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

19. (a) Until the beginning of the first pay period to commence in November, 1945, the amount of the basic wage shall be as prescribed in clause 18.

(b) During each future period of or near a quarter beginning with the first pay period to commence in a November, a February, a May, or an August, 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 to a place is that assigned thereto in clause 18.
- (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 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, 20th August, 1945.

