



VICTORIA GOVERNMENT GAZETTE.

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[1945

Factories and Shops Acts.

DETERMINATION OF THE CEMENT ARTICLES 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 persons (other than persons under the jurisdiction of the Fibrous Plasterers Board) employed in the trade of making portable articles of cement or concrete," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in January, 1945, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. (a) Apprentices and Improvers.				(b) Other Employees.			
WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.			
	Adjustable Rate.	Plus War Loading (Non-Adjustable).	Total Wage.		Adjustable Rate.	Plus War Loading (Non-Adjustable).	Total Wage.
	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.
Under 16 years of age ..	28 6	0 9	29 3	Moulders on centrifugal or vibrator pipe machines ..	114 0	3 0	117 0
" 17 " " ..	38 3	1 0	39 3	Man operating a machine mixing cement or concrete ..	111 0	3 0	114 0
" 18 " " ..	47 9	1 6	49 3	Other moulders of cement or concrete articles, including operator of any machines not elsewhere included ..	110 0	3 0	113 0
" 19 " " ..	59 9	1 9	61 6	Repairers or renderers of cement or concrete articles ..	110 0	3 0	113 0
" 20 " " ..	69 3	2 0	71 3	Operator of machine making concrete or cinder-concrete blocks or bricks ..	110 0	3 0	113 0
" 21 " " ..	80 0	2 3	82 3	Crusher feeder or attendant where bricks are crushed ..	109 6	3 0	112 6
				Tile or ridge makers and the takers off of same ..	108 6	3 0	111 6
				Other mixers of cement or concrete ..	108 0	3 0	111 0
				Mould assemblers ..	107 6	3 0	110 6
				Operator of cement sprayer ..	107 6	3 0	110 6
				Other crusher feeder or attendant or mill feeder or attendant or crusher screen attendant, other than persons engaged in crushing spalls ..	106 6	3 0	109 6
				Strippers ..	106 6	3 0	109 6
				Pipe tester (i.e., person operating a pump or pressure apparatus) ..	106 0	3 0	109 0
				Employee carrying away from any concrete or cinder-concrete block or brick-making ..	105 6	3 0	108 6
				Where the load carried per man is of .. greater average weight than 70 lb.:—			
				(a) Lumpers of cement or concrete articles (in and out of tanks) ..	105 6	3 0	108 6
				(b) Loaders, unloaders, or stackers (by hand) of cement or concrete articles ..	105 6	3 0	108 6

PROPORTION (in any Factory or Place).

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than 105s. per week of 44 hours.
An indenture of apprenticeship prescribed by the Board was approved on 30th July, 1930.

Improvers.

Cement Tilemakers' Section.

Three improvers to four workers ..
Four improvers to five or six workers ..
Five improvers to seven workers ..
Six improvers to eight workers ..
and thereafter one improver to every two workers ..

Receiving not less than 105s. per week of 44 hours.

2.—continued.

(a) Apprentices and Improvers.	(b) Other Employees.						
WAGES PER WEEK OF 44 HOURS.	WAGES PER WEEK OF 44 HOURS.						
All Other Sections.	Adjustable Rate.	Plus War Loading (Non-Adjustable).		Total Wage.			
		s. d.	s. d.	s. d.			
One improver to every three or fraction of three workers receiving not less than 105s. per week of 44 hours.	Truckers or stackers of concrete or cinder-concrete blocks or bricks	105	6	3	0	108	6
Apprentices and improvers operating a cement sprayer shall be paid 1s. 6d. per week extra in addition to the prescribed rate.	Writers on drums or mandrils for pipe-making	104	6	3	0	107	6
	Finisher of pipes made on vibrator	103	0	3	0	106	0
	All others	102	0	3	0	105	0

NOTE:—"Renderer" means a skilled employee facing concrete articles with float and trowel.

ALLOWANCES.

3. The following allowances in addition to the rates provided in clause 2 (b) shall be paid:—
 - (a) Lumpers of cement or concrete articles (in and out of tanks) 3d. per hour in respect of such time actually spent in tanks containing water.
 - (b) For work done away from the employer's place of business—
 - (i) The fares, exceeding 3d. per day, necessarily expended in going from and to the employee's residence to and from his work.
 - (ii) For work done at a distance from the employer's place of business if the employee is unable to return to his home the same night, 6s. per day extra for the first seven days, and thereafter 30s. per week extra.
 - (c) A "Leading hand" is one who is directed to control, supervise, and take responsibility for the work performed by two or more employees.

He shall, for the time so engaged, be paid the rate prescribed for the highest class of work so supervised with the following additions:—

 - (i) where the number of such employees does not exceed five, 6d. a day;
 - (ii) where the number of such employees exceeds five, 1s. a day.

4.

	TIME OF BEGINNING AND ENDING WORK.	
Time of Beginning.		Time of Ending.
7 a.m. 1 p.m. on Saturdays, or the day on which the half-holiday is locally observed.	
7 a.m. 5.30 p.m. on each of the other five working days of the week.	

OVERTIME.

5. The following rates shall be paid for all work done, except where shifts are worked:—

(a) Where the weekly hours are worked in 5 days, in excess of 8½ hours on any day (b) Where the weekly hours are worked in 5½ days, in excess of 8 hours on any day Monday to Friday inclusive or in excess of 4 hours on Saturday	}	Time and a half for first two hours' work in any one day and thereafter double time in that day.
(c) Where the weekly hours are worked in 5 days, on Saturday	}	Time and a half for first four hours' worked, and thereafter double time in that day.

SHIFTS.

6. Where a person is employed on shift work outside the hours of beginning and ending work he shall for each hour while so employed be paid 3d. an hour in addition to above rates.

A shift worker called upon to work overtime in excess of ordinary shift hours shall receive overtime at the rate set out in clause 5.

MIXED FUNCTIONS.

7. An employee engaged for not less 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.

SPECIAL RATES.

8. Double time shall be the rate payable for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, or Boxing Day; but if any other day be by Act of Parliament or proclamation substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

CONTRACT OF EMPLOYMENT.

9. *Weekly Employment.*—(a) Except as hereinafter provided employment shall be by the week.
 - (b) Employment shall be terminated by two clear days' notice on either side given at any time during the week or by the payment or forfeiture of two days' wages as the case may be. This shall not affect the right of the employer to dismiss an employee 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 of this Determination lose his pay for the actual time of such non-attendance.
 - (d) To obtain the benefit of weekly employment an employee must be ready, available, and willing to work on the days, and during the hours prescribed for an ordinary day's work.
 - (e) An employee until he has had two weeks of continuous employment may be employed as a casual at a rate per hour of ¼ of the appropriate rate prescribed for a weekly employee.

SICK LEAVE.

10. (a) An employee with not less than six months' service with an employer, who is absent from his work on account of personal illness, or on account of an 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 worker's compensation.
 - (ia) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness, and the estimated duration of the absence.
 - (ii) He shall prove to the satisfaction of his employer (or in the event of dispute the Secretary for 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 of service to leave in excess of 35 hours of working time.
- (b) Notwithstanding anything contained in sub-clause (a) hereof, if the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding 105 hours of working time, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.
- (c) For the purposes of all provisions of this clause, service prior to the 1st January, 1945, shall be disregarded.

HOLIDAYS.

11. (a) All employees shall be entitled to the eight holidays hereinafter mentioned without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday, Christmas Day, and Boxing Day.

Provided that an employee shall not be entitled to pay for any of the above holidays if absent from employment without leave on the working day immediately preceding and/or following a holiday or group of holidays unless he or she produces to the employer a certificate of a legally qualified medical practitioner, or failing the production of such certificate, such other evidence as shall be satisfactory to the employer.

ANNUAL LEAVE.

12. (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 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 wage in respect of each completed two months of 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 $\frac{1}{6}$ 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) Sickness up to period allowed as sick leave in clause 10 hereof;
 - (ii) Injury received during the course of employment, and for which an employee receives Worker's Compensation—up to a maximum period of two months;
 - (iii) 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.

TEA MONEY.

13. An allowance of 2s. for tea money shall be made where work extends for more than two hours beyond the usual time of ending work provided the employer has not given notice the day before of intention to work overtime.

TOOLS, BOOTS, ETC.

14. The employer shall supply the employee with all requisite tools and gloves for the performance of his duties, and when the employee is called upon to work in water he shall be provided with suitable boots or waders.

Where a man's place of work is outside the factory buildings and he is required to carry on such work in the rain, his employer shall furnish him with a waterproof overcoat whilst so employed.

PAYMENT OF WAGES.

15. Wages shall be paid during working hours.

HEALTH PROVISIONS.

16. The employer shall provide and maintain in a satisfactory state—

- (a) proper latrine services;
- (b) suitable change house accommodation with provision for drying clothes;
- (c) suitable accommodation for employees to have their meals and, where the number of employees exceeds twenty, such accommodation shall be partitioned off or otherwise separated from the change house.

REST PERIOD.

17. All employees shall be allowed two rest intervals on each day as follows:—(a) The first of five minutes to be allowed between the time of commencing work and the usual meal interval; (b) the second of five minutes to be allowed between the usual meal interval and the time of ceasing work for the day. Such intervals are to be counted as part of time worked.

RIGHT OF ENTRY OF UNION OFFICIALS.

18. For the purpose of interviewing employees on legitimate union business, a duly accredited representative of the Australian Workers' Union shall have the right to enter, during the midday meal hour, the portion of any employer's establishment in which any of the classes of labour covered by this Determination are employed.

If any representative is unduly interfering with, or is creating disaffection amongst his employees, or is offensive in his methods such employer may refuse the right of entry.

PERIODICAL ADJUSTMENT OF WAGES.

19. 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 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause 20.

Basic Wage.

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

ADJUSTMENT OF BASIC WAGE.

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

(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 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.

Melbourne, 7th March, 1945.

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

J. W. RYAN, Secretary.