



VICTORIA GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE CONDENSERIES BOARD.

NOTES.—(a) On 18th July, 1938, the Butter 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 (other than persons subject to the Butter Factories Board and the Retail Dairy Board) wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale condensed milk, sterilized milk, dried milk, milk sugar, sterilized cream, or any other milk product," and such power was conferred exclusively on the Condenseries Board.

(b) 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 which has the power to determine the lowest prices or rates which may be paid to any persons (other than persons subject to the jurisdiction of the Butter Factories Board and the Retail Dairy Board) wheresoever employed in the process, trade, business, or occupation of manufacturing or preparing for trade or sale condensed milk, sterilized milk, dried milk, milk sugar, sterilized cream, or any other milk product, including the treatment of bulk milk for wholesale distribution, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 25th March, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. Apprentices or Improvers.		Juvenile Workers.		Other Employees.		
WAGES PER WEEK OF 44 HOURS.		WAGES PER WEEK OF 44 HOURS.		WAGES PER WEEK OF 44 HOURS.		
Shift Workers.	All Others.	Males.	Females.		Shift Workers.	All Others.
<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>
Under 16 years	47 9	Under 16 years	40 0	Milk or cream grader, tester or neutralizer	133 0	122 0
16-17 years	55 6	16-17 years	44 9	Foreman of shift or department	133 0	122 0
17-18 "	63 3	17-18 "	55 6	Operator of any of the following machines:—		
18-19 "	83 3	18-19 "	61 3	Milk drier (roller system)	126 0	115 0
19-20 "	92 9	19-20 "	72 0	Milk drier (spray system)	127 0	116 0
20-21 "	99 0	20-21 "	82 0	Assistant to milk drier (spray system)	126 0	115 0
				Sugar boiler	121 0	110 0
				Vacuum pan—condensery	128 0	117 0
				Vacuum pan-dried milk	127 0	116 0
				Vacuum pan-milk sugar	127 0	116 0
				Evaporator	126 0	115 0
				Homogenizer or visiolizer	124 6	113 6
				Cream retort	121 0	111 0
				Powder sifter	119 0	109 0
				Tubular heater or ejector	121 0	110 0
				Separator	119 0	108 0
				Pasteurizer	119 0	108 0
				Weighing machine (milk receiving)	126 0	115 0
				Wire-hoopers, storeman, stackers or packers	120 0	109 0
				Washers of vacuum pan, vacuum holding vats, or evaporator	121 0	110 0
				Male adult washing or sterilizing cans or bottles	120 0	109 0
				All other male adults not covered by a Determination of any other Wages Board	118 0	107 0
				Headwoman, i.e., a person who has charge of employees under, and takes her instructions from, the foreman		77 9
				Females operating dried milk automatic filler		74 9
				All other females		72 6

Other Employees.

WAGES PER WEEK OF 44 HOURS.

Female workers operating the Majonnier tester shall be paid 9s. 3d. per week in addition to their ordinary wage.
 Female workers employed in laboratories shall be paid 4s. 3d. per week in addition to their ordinary wage.
 Persons employed clearing or cleaning horizontal drying boxes shall be paid 3s. 6d. per week for mid-clearance, or 2s. per week for morning clearance, in addition to their ordinary weekly wage.
 Persons operating more than two vacuum pans shall be paid 4s. per pan extra.
 Washers of vacuum pans, vacuum holding vats, or evaporators shall be allowed 3d. for each flying clean or 9d. for each full clean in addition to the ordinary weekly wage for the employee concerned.
 Persons employed cleaning milk tankers and vacuum pan vapour pipes, when the employee enters the latter, shall receive 9d. for each clean in addition to the ordinary weekly wage for the employee concerned.
 Persons employed on a Dennington Spray Control floor shall be paid 15s. per week additional to the rates for milk drier (spray system).
 Persons employed stacking tinplate or unloading tinplate from trucks shall be paid 2d. per hour in addition to their ordinary wage.
 Persons employed unloading or scooping briquettes shall be paid 3d. per hour in addition to their ordinary wage.

DEFINITIONS.

3. "Juvenile worker" means a person under 21 years of age (other than an apprentice or improver) employed at—
 Weighing, filling, emptying, stacking, capping, sealing, opening, labelling, wrapping, packing, cleaning, or sterilizing tins, cartons, or bottles;
 Stamping or branding tins, cartons, cases, bottles, or labels;
 Stamping, branding, lining, or nailing-up boxes or shooks;
 Handling empty tins, cans, cases, crates, jars, moulds, boxes, or cartons;
 Feeding or assisting on machines; or
 Feeding or taking away from automatic machines.

"Ordinary Worker" means a person—

- (a) who works 8 hours 48 minutes between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday when the ordinary week's work is performed in five days;
- (b) who works 8 hours between 7 a.m. and 6 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and 4 hours on Saturday when the ordinary week's work is performed in 5½ days.

"Shift worker" means a person other than an ordinary worker. Males under 21 years of age (other than an apprentice or improver 18 years of age or over), or females of any age shall not be employed on shift work.

OVERTIME.

4. The following rates shall be paid—

(a) To "ordinary workers" for all time worked—

Outside the times of beginning and ending work as fixed in Clause 3
 Within the times of beginning and ending work so fixed in excess of 4 hours on Saturday and 8 hours on the other working days where an ordinary week's work is worked in 5½ days and for all time worked on Saturday and in excess of 8 hours 48 minutes on Monday to Friday (inclusive) where an ordinary week's work is worked in five days } Time and a half.
 Provided that double time shall be paid for all work done on Saturday after 12 noon.

(b) To "shift workers" for all time worked in excess of 7 hours 20 minutes on any day .. Time and a half.

(c) An employee shall not be required to work more than 12 hours' overtime per week; for shift workers this overtime shall be in addition to 7 hours 20 minutes per day for each of seven days.

MEAL INTERVAL.

5. An interval of 45 minutes shall be granted for meals between the hours of 12 noon and 1.30 p.m., provided that females and juveniles shall be granted such interval not more than 4½ hours after starting work. Shift workers shall be allowed 45 minutes for each meal; such meal time to be not less than three hours, or more than five hours from the time of beginning work.

Meal time, if worked, shall be paid for at the rate of time and a half on prevailing rates, same to continue until such time as the employee has had the full time provided for meal.

CRIB TIME.

6. An ordinary worker who commences work at 6 a.m. or earlier shall be allowed a rest interval of 15 minutes at not more than three hours from the time of commencing work.

MORNING TEA

7. Tea shall be made available each morning for female employees.

CONTINUITY OF WORK.

8. The work of each day or shift shall be continuous with the customary break for a meal.

TIME WAGES.

9. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work between midnight on Sunday and midnight on Saturday shall for each hour worked up to one half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of 33 per centum, and for each hour worked beyond the one-half aforesaid the rate of wages payable shall be the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

MEAL ALLOWANCE.

10. Any employee required to work more than 60 minutes' overtime after the usual finishing time shall be paid, in addition to the overtime payable, an allowance of 1s. 6d. for a meal.

WAITING TIME.

11. When an employee is called to work at a certain hour, but is not put on at such hour, the time that the employee is kept waiting shall be treated as time on duty.

ALLOWANCE.

12. When an employee is required by law or by his employer to wear a washable outer garment such garment (not exceeding two each year) shall be provided by the employer.

PAYMENT OF WAGES.

13. All wages shall be paid weekly.

TERMINATION OF EMPLOYMENT.

14. Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or employee.

WASHING AND DRINKING FACILITIES.

15. Adequate drinking and washing facilities shall be provided in each factory or department. All employees handling briquettes or coal shall be allowed seven minutes' washing time at the conclusion of the day's work. Where conditions of labour warrant their use, changing accommodation and showers shall be provided by the employer.

TIME BOOK OR OTHER RECORD.

16. Every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance, which shall be furnished by the employer.

INSPECTION OF TIME BOOK.

17. The Secretary, Assistant Secretary, or Organizer of the Federated Cold Storage and Meat Preserving Employees' Union of Australia, duly authorized in writing under the seal of the said Union, shall have access to the record of times recorded by the employees and the wages paid for a period of two months prior to date of inspection, provided that such inspection shall be made during the office hours of the factory, and not more than once in any fortnight. Authority shall be produced to the employer on demand.

VARIATION OF DETERMINATION.

18. Where the exigencies of the industry are such that the best interests of the employer's employees, and the community as a whole may be served by varying any part of this Determination by mutual consent, such variation may be mutually arranged by agreement with an officer of the Department of Labour, an officer of the Federated Cold Storage and Meat Preserving Employees' Union of Australia, and the employer or his representative. Full particulars of such variation are to be reported to and approved by the Chief Inspector of Factories or his deputy.

IMPROVER TO RECEIVE ADULT WAGE.

19. An improver employed at any class of work for which a certificate from the Department of Agriculture is required, shall, unless he is working under the direct supervision of an employee so qualified, be paid the rates of pay prescribed for such an adult employee.

LIFTING OF WEIGHTS.

20. No person under the age of eighteen years shall lift weights exceeding 30 lb. and no person between the age of 18 and 21 years shall lift weights exceeding 45 lb.

ANNUAL LEAVE.

21. Any employee who has been in the service of the same employer for a period of not less than twelve months shall be granted two weeks' holiday on full pay each year, and such holiday shall be given within three months of completion of each twelve months' service.

If the employee leaves or is dismissed before the expiration of twelve months, then such employee shall be given or paid for one day's holiday for each calendar month or part of a calendar month's service. Provided that an employee shall not be entitled to one day's holiday pay for part of a calendar month until he has completed three calendar months' continuous service with the same employer.

SICK LEAVE.

22. (a) Any employee who has been in the employment of the same employer for a period of not less than three months and who does not attend for duty shall lose his pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill health or accident for more than four days in each year or a proportionately less time during any shorter period of employment. For the purposes of this clause the present "year" shall be deemed to have commenced on the 15th day of November, 1943, and each succeeding "year" on the 15th day of November of each such year.

(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 eight days, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

(c) An employee shall not be entitled under this clause to paid leave of absence for any period in respect of which he is entitled to Worker's Compensation.

MIXED FUNCTIONS.

23. Where an employee is engaged in any one day or shift for more than two hours at work in a higher class than he is employed to perform, he shall be paid for the full day or shift at the highest rate payable for any such work under this Determination, but if he is so engaged for less than two hours he shall be paid at the rates fixed by this Determination only for the work he actually performs.

SPECIAL RATES.

24. (a) Time and a half shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Christmas Day, Boxing Day, and a holiday to be fixed by each factory in lieu of King's Birthday in accordance with Clause 18; 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.

(b) Any employee who works part of a holiday shall be paid ordinary rate for remainder of the day.

(c) Any employee required to work on a Sunday shall be entitled to a minimum of an ordinary day's pay or work at special rate to enable him to earn such ordinary day's pay.

DAY OFF FOR SHIFT WORKERS (OTHER THAN THOSE REFERRED TO IN CLAUSE 27.)

25. Seven day shift workers shall be entitled to one day off without pay in each fortnight on any one of the days Monday to Saturday (both inclusive). The period of working time on such day off shall,

(i) be taken into account for the purpose of prohibiting an employee from claiming benefits under the provisions of Clause 9, and,

(ii) count as time worked for the purpose of Clause 26.

If work is performed on such day off it shall be paid for at the rate of time and a half.

DOUBLE TIME FOR CERTAIN SUNDAY WORK.

26. Notwithstanding the provisions of Clause 24 of this Determination, an employee who works on a Sunday shall be entitled to payment at the rate of double time for such Sunday work as shall be in excess of 44 hours worked since the previous Sunday exclusive of any overtime worked by him on Monday to Saturday both inclusive.

SPECIAL PROVISIONS FOR EMPLOYEES ON A DENNINGTON SPRAY CONTROL FLOOR.

27. Notwithstanding the provisions of clauses 9, 24 and 26 of this Determination an employee on a Dennington Spray Control floor shall:—

- (i) be required to work on Sundays,
- (ii) be entitled to one day off between Monday and Saturday inclusive each week,
- (iii) be entitled to payment at the rate of double time for such Sunday work as shall be in excess of 44 hours, less the day off referred to herein, worked since the previous Sunday exclusive of any overtime worked by him on Monday to Saturday both inclusive, and
- (iv) when required, work in other departments at the rates prescribed for such work in such departments.

PERIODICAL ADJUSTMENT OF WAGES.

28. 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, improvers, juveniles, and females 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 29.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Throughout the State	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 4 18 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

29. (a) Until the beginning of the first pay period to commence in May, 1946, the amount of the basic wage shall be as prescribed in clause 28.

(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.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 14th March, 1946.



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Factories and Shops Acts.

DETERMINATION OF THE GAS WORKS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in or in connection with making coal gas for trade or sale but not including any person or persons or classes of persons subject to the Determination of any Wages Board heretofore appointed," has made the following Determination, namely:—

1. That on the 5th March, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. (a).

Improvers.	Wages per Week of 44 Hours.		
	£	s.	d.
Under 15 years of age	0	15	6
15 years and under 16 years of age	0	19	0
16 " " " 17 " " "	1	3	0
17 " " " 18 " " "	1	11	0
18 " " " 19 " " "	2	2	6
19 " " " 20 " " "	2	13	6
20 " " " 21 " " "	3	9	6

For shift work an extra rate of 3s. 6d. per week shall be paid, but no improver under eighteen years of age shall be employed upon night shift.

(b).

Adults.	Wages per Week of 44 Hours.	
	Within a Radius of 20 Miles of the G.P.O., Melbourne, 10 Miles of the G.P.O., Geelong, and the City of Warrnambool.	Other Parts of Victoria.
	£ s. d.	£ s. d.
Patching and scouring retorts and cleaning flues—man continuously employed as such..	6 5 0	6 2 0
Stoker in charge of gas or steam engine, or other works plant	6 5 0	6 2 0
Stoker, vertical retort	6 2 0	5 19 0
Stoking machine driver	6 2 0	5 19 0
Stoker, horizontal retort (machine)	5 19 0	5 16 0
Stoker, hand charging	5 17 0	5 14 0
Retort (vertical) operator	6 2 0	5 19 0
Operator vertical retort	6 2 0	5 19 0
Fireman retort house	6 2 0	5 19 0
Machine and stage man	5 19 0	5 16 0
Hydraulic and tar main attendant	5 18 0	5 15 0
Augerer and pipe jumper	5 17 0	5 14 0
Coke and coal conveyor attendant (day worker)	5 12 0	5 9 0
Greaser and oiler (in retort house)	5 10 0	5 7 0
Elevator and coal crusher attendant	5 9 0	5 6 0
Coke and coal conveyor attendant (shift worker)	5 9 0	5 6 0
Oxide breaker—man attending and operating	5 9 0	5 6 0
Purifier—man opening up, or emptying, or filling	5 9 0	5 6 0
All others	5 1 0	4 18 0

GENERAL EXTRA RATE FOR SHIFT WORK.

3. (1) For work done on shift at any time by an employee in operations customarily done on shift he shall be paid 1s. extra per shift.
 (2) For work done on shift at any time by an employee in other operations he shall be paid 1s. 3d. extra per shift.

EXTRA RATE FOR LEADING HANDS.

4. "Leading hand" herein means one who has in any degree control, supervision, or direction of any other employee of the same grade.

Leading hands shall be paid, in addition to their prescribed weekly wage, the amount assigned to them in the following table:—

Table.

	Per Day or Shift.	
	s.	d.
Leading stoker	2	0
Leading vertical retort house operator	2	0
Any other leading hand	1	6

Provided that this clause shall not apply to a leading stoker and/or leading vertical retort house operator when in charge of gas or steam engines or other works plant, but any such employee as aforesaid shall be paid the margin prescribed for the class of stoking performed, plus the appropriate leading hand rate.

RATE FOR OTHER THAN WEEKLY EMPLOYEES.

5. Any employee, other than one engaged on piecework, who is not employed for at least one full week shall for each day upon which he is required to attend for work be paid for the time worked at the relevant rate per week, plus 10 per cent.

PIECEWORK RATES.

6. In case where piecework rates are now being paid for coal discharging the existing rates shall continue.

WORKING HOURS.

7. (1) Except as otherwise hereinafter provided the ordinary working hours of daymen shall not exceed 44 per week, comprising (unless otherwise agreed by the employer and his employees) eight hours each for the first five week days, to be worked between 7.30 a.m. and 5 p.m., and four hours on Saturday, to be worked between 7.30 a.m. and 12 noon. Provided that the employer shall have the option of arranging for the working of the said 44 hours during such first five week days and increasing the length of the day's work accordingly.

(2) Except as otherwise hereinafter provided the ordinary working hours of shiftmen shall not exceed an average of 44 per week, to be worked in shifts not exceeding eight hours each including "crib" time reckoned as part of working time, such shifts to be distributed as the employer concerned may choose, but so as to make an aggregate shift time on duty not exceeding 48 hours in any one week, nor 176 hours in any period of four weeks, unless the excess time of duty is caused by arrangement between the employer and his employees.

(3) Unless otherwise agreed between the employer and his employees all shift work shall be so arranged as to allow each man, by rotation or otherwise, one clear day off in each week which week for this purpose shall be deemed to commence from the starting of the morning shift on Monday in each week unless otherwise agreed between the employer and his employees.

(4) For employees whose present ordinary working hours are less than 44 per week, the ordinary working hours and arrangement thereof shall continue as at present.

OVERTIME RATES FOR DAYMEN.

8. (1) *Over Prescribed Number of Ordinary Hours.*—Unless otherwise provided elsewhere herein, for any time worked by daymen on any one day in excess of the number of ordinary working hours prescribed for that day, payment shall be made at time and a half for the first two hours and at double time thereafter.

(2) *Outside Prescribed Time Limits.*—Unless otherwise provided elsewhere herein, for time worked at any time other than between 7.30 a.m. and 5 p.m. on Monday to Friday (both inclusive), or 7.30 a.m. and noon on Saturday, or if other time limits be agreed upon between the employer and his employees, at any other time than between such agreed limits, payment shall be made at time and a half for the first two hours and at double time thereafter.

(3) *Work after Recall.*—A dayman who after his ordinary day's work has departed from the place where he works and has reached his home or other stopping place without having been given notice that he would be required to do further work on that day, if recalled to do such work, shall be paid at the rate of double time for such work, with a minimum payment as for three hours at ordinary rates, but this sub-clause shall not apply to shift work.

(4) *Overtime Rates not Cumulative.*—If more than one of the foregoing provisions applies to the time worked, payment shall be obligatory under only one of such provisions and if one of such provisions prescribes a higher rate, only under that provision.

(5) *Shift Work as Prescribed in Clause 9.*—Overtime rates for shift work and shiftmen shall be as prescribed in clause 9 and this clause shall not apply to them.

SPECIAL EXTRA RATES FOR SHIFT WORK.

9. (1) *Shiftmen's Ordinary Hours.*—If an employee is required by the employer to do shift work exceeding in length eight hours in any period of 24 hours, or 48 hours in any period of seven days, or an aggregate of 176 hours in any period of four weeks, he shall be paid for the excess time of working at time and a half for the first two hours and double time thereafter, unless the excess is worked as a result of an arrangement made between the employer and his employees, in which case he shall be paid for the excess time at ordinary rate. Provided that a shift worker who works two shifts in immediate succession shall be paid at the rate of double time for the second shift or part thereof, unless such second shift is worked by arrangement between the employees themselves, in which case the excess time shall be paid for at ordinary rates.

(2) *Daymen Put on Shift Work after doing Day's Work.*—Except in the case of arrangement between the employees themselves any dayman who after completing his ordinary day's work is put on to shift work shall be paid for all time worked on shift at time and a half, the payment to be in addition to payment for his ordinary work, and shall be entitled to absent himself from his ordinary work on the following day without incurring any deduction from his week's wages therefor. Provided that this sub-clause shall not apply to a dayman employed on the afternoon shift.

(3) *Daymen Put on to Shift Work before Finishing Ordinary Day's Work.*—Except in the case of arrangement between the employees themselves any dayman put on to shift work after doing portion only of his ordinary day's work, shall be paid the prescribed rate for the time actually worked on day work, and at the prescribed rate for the shift work from the time he commences the shift work until such time as he has worked in day work and shift work combined eight hours, Monday to Friday inclusive, or four hours, Saturday (where he works six days per week), or 8 hours 48 minutes, Monday to Friday inclusive (where he works five days per week), and for ensuing time at time and a half for the first two hours, and then at double time.

(4) *"Clash" Day Work.*—If an employee solely because of the "clashing" of shifts on the roster is on the day of the clash employed otherwise than on his ordinary shift he shall nevertheless be paid for his work on that day not less than at the prescribed rate for his ordinary shift.

(5) *Work on "Day Off."*—For all work on his day off in the week a shift man shall be paid at double time if the day be a Sunday or a holiday not observed on a Sunday, and at time and a half if it be another day, but if at the request of another employee he works as a substitute on the day for the other employee, he shall be paid at the rate at which the latter would have been paid.

(6) *Work on Sunday.*—For all shift work on a Sunday, not being his day off, a shiftman shall be paid at time and a half, but if his shift work during the weekly pay period which includes the Sunday does not exceed two shifts he shall be paid at double time for the work on the Sunday.

(7) *Relieving on Sunday.*—If an employee is required to relieve a shiftman on a Sunday, the relieving employee shall be paid at the rate of time and a half, but if on a Sunday the usual number in any gang is increased, the extra man or men required shall be paid at double time.

(8) *Mixed Shift and other Work on Sunday.*—If an employee is brought in on a Sunday for work, other than relieving a shiftman, and commences duty which entitles him to double time, and is, thereafter, required to do shift work, he shall be paid at double time for the whole of the work done by him on that day.

(9) *Work on a Holiday.*—For all work on a holiday, other than one observed on a Sunday, a shiftman shall be paid at double time.

SUNDAYS.

10. (1) Any employee may be required to work on any Sunday.

(2) For any work done on a Sunday the employee—other than a shiftman—shall be paid at double time, with a minimum payment as for two hours at such rate.

(3) For work done by a shiftman on a Sunday payment shall be made as prescribed in clause 9.

(4) Any weekly employee who in the ordinary course of his work is required to work on Sundays, shall be entitled to one clear day off in each calendar week, and if required to work on his day off, shall for all such work be paid at double time, if the day be a Sunday or a holiday, and at time and a half if it be another day, but if at the request of another employee he works on the day as a substitute for the other employee he shall be paid at the rate at which the latter would have been paid.

MIXED FUNCTIONS.

11. (1) Except as otherwise provided herein or by mutual arrangement between the employees themselves, an employee required to do more than one class of work in the course of a day shall for the whole of that day be paid as if he had throughout his work on that day done that one of those classes of work for which the highest rate is prescribed.

(2) A dayman called upon for shift work after his ordinary work shall be paid as provided in clause 9 hereof, and is excepted from this clause.

(3) Subject to the foregoing an employer may require an employee to do any class of work not outside the scope of the employee's engagement.

HOLIDAYS.

12. (1) The days on which the following days are observed as holidays in the district in which the employer's works are situated shall for the purposes of this Determination be holidays:—

New Year's Day; Australia Day; Good Friday; Easter Monday; Anzac Day; King's Birthday; Eight Hours Day; Christmas Day; Boxing Day—

and also within 20 miles of the General Post Office, Melbourne, Melbourne Cup Day, and also elsewhere than within such 20 miles, one day to be agreed upon by the employer and employees concerned.

Provided that in cases where days or parts of days are substituted for any of the holidays above prescribed, the arrangements at present in existence shall continue.

(2) Any employee may be required by the employer to work on any holiday.

(3) Notwithstanding that an employee engaged by the week is not required to work on a holiday no deduction shall be made from his wages therefor, except in the following cases for which the employer may make a deduction proportionate to the time that the employee in the ordinary course would have worked on the holiday if it had been an ordinary working day:—

(a) if without leave from the employer he absent himself on the working day next prior to or on that next after a holiday and does not work on the holiday; and

(b) where the employee is absent without leave on the working days next prior to and next after a holiday and does not work on the holiday: provided that if a holiday falls during accident leave, the employee shall have an additional day added to such leave for the holiday.

(4) If a holiday other than one observed on a Sunday falls on the weekly clear day off of an employee, as prescribed by clauses 7, 9, or 10 (4) of this Determination, the employee shall be paid his ordinary wages for the time worked during the week in which the holiday occurs, plus the ordinary rate for the time he would have worked if the holiday were not his day off, but shall not be so paid if the employee without leave from the employer absents himself from work on the working day next before or on that next after the holiday.

(5) When any dayman is required to work on a holiday he shall, besides his ordinary weekly or daily wage (as the case may be) be paid for all time worked on the holiday at ordinary rate with a minimum payment as for four hours.

(6) For work done by a shiftman on a holiday he shall be paid as provided in clause 9 hereof.

PICNIC DAY.

13. There shall be granted to employees in the Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, an annual picnic day to be observed on such day as the parties mutually agree, but failing such agreement on a Saturday the date of which in each case shall in each year be decided by the Wages Board. Such picnic day shall be deemed to be a holiday for the purposes of this Determination.

ANNUAL LEAVE.

14. Employees shall be granted annual leave as follows:—

Day workers with less than three years' service—one week.

Day workers with between three and ten years' service and shift workers with less than ten years' service—two weeks.

Day workers and shift workers after ten years' service—three weeks.

Provided—

(1) that if any of the prescribed holidays so falls in the week as in the ordinary course to entitle an employee to be paid in respect of that holidays although he does not work thereon, and that holiday happens to fall within that employee's period of annual leave the number of days in that period shall be reckoned in addition to the holiday;

(2) that the number of days in that period of annual leave shall be reckoned in addition to any days off of the employee in excess of one for each consecutive seven days during that period; and

(3) that in calculating the amount to be paid to the employee in respect of each week of leave, in addition to any amount payable to him otherwise than because of the rate for shift work prescribed by clause 3 of this Determination, he shall be allowed to him for every fifty shifts worked by him during the twelve months preceding the leave and not previously allowed to him in such a calculation.

DIRT MONEY AND OTHER EXTRA PAYMENTS.

15. (1) "Dirty work" herein means work which the foreman and workman concerned agree is of an unusually dirty or offensive nature.

(2) The following employees shall be paid dirt money at the rate of one penny per hour for the time they are engaged upon the following work:—

(a) Yardman removing dust from the top of retort benches, hydraulic, and foul mains and bridge pipes.

(b) Men cleaning and removing the residue from the interior of water, liquor or oil storage tanks.

(3) Daymen working in fiery bunkers shall be paid at the rate of time and a half labourer's rate for the time when so engaged, where such payment is considered by the management to be warranted: Provided that existing conditions shall continue.

(4) Men employed between the lifts of gasholders shall be paid an additional rate of 1½d. per hour for the time when so engaged, but for such work shall not be entitled to payment of height money under Clause 16 of this Determination.

(5) Yardmen employed cleaning out washers, automatic C.W.G. plant shall be paid 1s. 6d. for each washer completely cleaned in addition to their ordinary rate of pay for the time occupied on such work.

HEIGHT MONEY.

16. (1) Except as hereinafter provided any man employed at the heights set out in the following table measured vertically from the place where he is supported to the nearest surface situated directly below him, such as the ground, or a staging, platform or flooring at least 6 feet wide, shall be paid the additional rate corresponding to such height as shown in the table, irrespective of the time for which he is so employed during the day:—

Height.	Additional rate per Day.
Not less than 20 feet and not more than 40 feet	0 6
40 feet and not more than 100 feet	1 0
100 feet and over	1 6

(2) Except as hereinafter provided, any man employed on the crown of a gasholder shall be paid the additional rate shown hereunder, irrespective of the time for which he is so employed during the day, when the rim of the crown is at the height specified above the surface of the ground:—

Height.	Additional rate per Day.
Not less than 40 feet and not more than 100 feet	0 6
100 feet and over	0 9

This sub-clause shall also apply to men employed at the same height on any structure which has its edge as well guarded as the rim of a gasholder crown.

(3) When a man is employed during any day at more than one of the heights specified in this clause he shall be entitled to payment of one additional rate only for the day, namely, the rate payable for the maximum distance at which he is employed during the day.

(4) In selecting men to work at a height the employer shall choose those who in the opinion of the management are best qualified to perform the work.

RATE FOR WET PLACES.

17. Any employee working in a place which the foreman or ganger concerned decides is a wet place shall be paid an additional 8d. for the day irrespective of the time during which he works in that place during the day.

Provided that this clause shall not apply if the employer supplies him with top boots or other covering reasonably sufficient to exclude the wet.

MEAL TIMES AND ALLOWANCES.

18. (1) Except as otherwise provided elsewhere herein a meal break of at least 45 minutes (if a six-day week be worked) or at least 42 minutes (if a five-day week be worked) shall be allowed to employees other than shiftmen.

(2) Such meal break shall begin at 12 noon or at such other regular time as may be agreed upon by the employer and employees concerned, but in special circumstances of emergency only, the employer may require it to begin at some definite time not earlier than 11.30 a.m. not later than 12.15 p.m.

(3) Any employee required to work throughout more than five hours without a suitable interval for a meal, shall, for all time worked in excess of the five hours before being allowed such interval, be allowed an extra payment at double time.

(4) If an employee is required to continue or resume work during the prescribed meal break he shall for the time of continuance or resumption until the full meal break is given be entitled to an extra payment at time and a half.

(5) If the prescribed meal break of an employee is curtailed he shall for the time of curtailment be entitled to an extra payment at time and a half.

(6) Subject to observance of sub-clause (3) hereof, an employee may notwithstanding sub-clauses (4) and (5) hereof, be required to work at ordinary rates during the prescribed meal break for the purpose of making good break downs of plant or upon routine maintenance of plant (including oiling and greasing) which can only be done whilst such plant is idle.

(7) A dayman required to work overtime beyond 12.30 p.m., on Saturday, or 5.30 p.m. on any other day, or to work on the afternoon shift without having been notified on the previous day that he would be so required, shall be paid 2s. meal allowance.

If after having been so notified he provides himself with a meal and is not required to work such overtime or afternoon shift, he shall be paid 2s. meal allowance.

SICK LEAVE.

19. An employee after having completed three weeks' continuous service immediately preceding the day upon which he reasonably absents himself from work because of disability due to his own ill health, and who within 48 hours after the commencement of the absence produces evidence satisfactory to the employer of such disability by medical certificate or otherwise shall without incurring any deduction of pay be entitled to leave of absence during such disability for a period or periods not exceeding in the aggregate ten days in each year, beginning with the 1st day of December, 1937, and 14 days after six months' continuous service: Provided that where an employee has been in the continuous service of the employer for more than ten years and absents himself from work because of disability during any subsequent year, but has not been so absent in the year immediately prior thereto for a full period of 14 days in all such employee shall be entitled to leave of absence during such subsequent year for a period or periods in addition to the period or periods of 14 days equal to the unused portion of 14 days in the immediately preceding year, but this total absence in any year with pay shall not exceed 21 days.

The rate of wage payable to the employee during such leave of absence without deduction of pay shall be the prescribed ordinary rate or averaged rates for the work done by him during his last six working days next before his absence began.

ACCIDENT LEAVE.

20. (1) An employee after having completed three weeks' continuous service immediately preceding the day upon which he reasonably absents himself from work because of disability due to bodily injury arising out of or in the course of his employment, and who within 48 hours after the commencement of the absence produces evidence satisfactory to the employer of such disability by medical certificate or otherwise shall without incurring any deduction of pay be entitled to leave of absence during such disability for a period or periods not exceeding in the aggregate two weeks in each year beginning with the 1st day of December, 1937.

The rate of wage payable to the employee during such leave of absence without deduction of pay shall be the prescribed ordinary rate or averaged rates for the work done by him during his last six working days next before his absence began.

(2) If weekly payments are payable by the employer to the employee under a Workers Compensation Act or other like Act in respect of the injury to the employee, payments made in pursuance of this clause may be treated by the employer as a discharge so far as their amount goes of his liability to pay the weekly payments under such Act.

EMPLOYMENT CONDITIONS OF PIECEWORKERS.

21. Existing conditions relating to working hours, waiting time, holidays, and leave for pieceworkers employed on coal discharging shall continue.

CONDITIONS OF ENGAGEMENT.

22. (a) Except as otherwise hereinafter provided, all employees shall be engaged by the week, the employment to be terminable only by a week's notice on either side, which notice may be given at any time during any week.
- (b) Provided that for misconduct or neglect of duty by an employee, his employment may be determined forthwith without notice, in which case he shall be entitled only to an amount for wages proportionate to the amount of work done before such determination such amount for wages to be paid forthwith.
- (c) From the commencement of an employee's service during a time not exceeding two weeks, the employer may engage him by the day, subject to payment of the rate of wage prescribed for other than weekly employees.
- (d) Subject to any express limitation in the terms of his engagement and to his right to determine his employment by a week's notice, an employee to become entitled to the benefits of this Determination must do such kinds of work at such times as the employer may require him to do for the time being, but the employer shall in respect of such work observe any applicable provisions of this Determination as to special or extra rates.
- (e) If an employee absents himself from duty or does not attend for duty, the employer, subject to the provisions for sick leave and accident leave hereinafter contained, may deduct from the employee's wages an amount proportionate to the length of the employee's absence or non-attendance.

PAYMENT OF WAGES.

23. Subject to wages being paid weekly existing conditions relating to times and places of payment of wages shall continue.

TOOLS.

24. Existing conditions as to the supply of sufficient and efficient tools in working order shall continue.

STANDARD OF WORK.

25. (1) The employer shall not, while existing conditions exist, increase the standard of work beyond the present limit in existing retort houses.
- (2) The standard of work for men working in saturators in sulphate houses, while existing conditions exist, shall not be increased.
- (3) Stokers hand charging shall be allowed a minimum of half an hour's rest period between each stoking time.

PURIFIER LIDS.

26. After the purifier box lids are lifted two hours shall elapse before men are sent into the purifiers to work.

CONDITION OF WORKING PLACES.

27. (1) Retort houses shall, as far as is practicable, be made and kept rainproof by the employer.
- (2) The employer shall keep cellars and other work places well lighted, and so far as is practicable, shall keep them properly drained and free from water.
- (3) The employer shall, as far as is practicable, repair and keep in repair the floor of the retort house, coal store, and coke stage.

OILSKINS.

28. To any employee required to work in the rain adequate oilskins, if reasonably necessary in the circumstances, shall be supplied by the employer.

CLOGS AND APRONS.

29. The employer shall, when necessary, provide and replace clogs for the use of men working on the top of retort benches, pitch pan men, and scurfers and patchers.

GAS MASKS.

30. The employer shall supply suitable gas masks to employees in cases where considered necessary by the management.

FIRST AID.

31. The employer shall provide all requisite first aid appliances at the works.

ACCOMMODATION.

32. (1) The employer shall at the works provide for employees adequate mess rooms and boiling water, washing and changing rooms, with hot and cold showers, and lock-up cupboards.
- (2) The employer shall at the works provide for employees suitable sanitary conveniences, and cause them to be cleansed every day, except on Sundays and holidays, and to be left uncleaned in no case for more than one day.

EMPLOYMENT, PROMOTION, AND SENIORITY.

33. (1) In making promotion or in the shortening of hands efficiency shall be the first consideration, and in the case of men of equal efficiency, the employer shall give preference to the one with the higher seniority as shown by the seniority list. Provided that for the purposes of seniority each works or department shall be regarded separately.
- "Efficiency" herein means special qualifications and aptitude, including suitability in age for the discharge of the duties of the position to be filled together with merit and good and diligent conduct.
- (2) Seniority lists shall be compiled by the employer showing in respect of each department the name of every employee of the employer covered by this Determination, the date of entering the department, and the date of entering the service of the employer.
- (3) The lists shall be compiled to show employees in the order of their entering the department, but in the case of an employee who returns to a department after leaving it at his own request, such date shall be the date of re-entering the department.
- (4) The date of entering the service of the employer shall be the date of entry continuous with the present employment, but an employee discharged by the employer and re-employed within four weeks shall retain his seniority.
- (5) At each works or department a copy of the list affecting such works or department shall be kept, and shall be open to the inspection of any official named by the union, at any reasonable time.
- (6) The employer, if and when reasonably so required, shall supply copies of such lists of the employees of such employer to the secretary of the union.

THE UNION.

34. (1) When the consent of the officer in charge has been obtained or has been unreasonably refused, any official named by the union shall be allowed, at any time or times, to enter any of the employer's works to make any necessary enquiries in regard to complaints submitted by employees.
- (2) Any employee named by the union shall be allowed at any time or times approved by the employer, and at any of the employer's works, to collect union dues.
- (3) Any employee named by the union shall be allowed by the employer reasonable leave of absence from duty, without pay, to attend to union business, when the absence does not interfere with the employer's operations.
- Notices relating to the union and a copy of this Determination may be posted by any employee authorized by the union upon the notice board in the mess room, and on any other place provided by the employer for the purpose.
- Each employer shall keep a copy of this Determination, posted in an accessible place in the works, and shall permit shop and union formal notices to be posted alongside.

DEFINITIONS.

35. In this Determination, unless the contrary intention clearly appears:—
- "Ordinary time" means a rate of wage per hour equal in amount to the prescribed weekly wage divided by the prescribed number of ordinary hours of work.
- "Time and a half" means one and a half the amount of ordinary time.
- "Double time" means double the amount of ordinary time.
- "Shift work" means work which is continuous, except that the employee is allowed to have his meal time included in his period of work.
- "Shiftman" means an employee engaged upon shift work.
- "Dayman" means an employee other than a shiftman.
- "The union," wherever referred to in this Determination, means The Federated Gas Employees Industrial Union—Victorian Section.

PERIODICAL ADJUSTMENT OF WAGES.

36. The wages rates set out in clause (2) (b) are based upon the following basic wage rates and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, shall be automatically increased or decreased by the same amount, and at the same time as such basic wage rates.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause (37).

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Victoria—				
Within 20 miles of G.P.O., Melbourne	4 12 0	6 0	4 18 0	Melbourne
Within 10 miles of G.P.O., Geelong, or at Warrnambool—Same as contemporaneous basic wage for Melbourne.				
Elsewhere in Victoria—3s. less than the contemporaneous basic wage for Melbourne.				

ADJUSTMENT OF BASIC WAGE.

37. (a) Until the beginning of the first pay period to commence in May, 1946, the amounts of the basic wage shall be as prescribed in clause 36.

(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 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:—

- (i) The index number set to be applied is that assigned thereto in clause 36.
- (ii) 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.
- (iii) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (iv) 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.

38. In addition to the basic wage provided in clause 36 the margins and loadings set out in this clause shall be the minimum rate payable to employees therein named:—

	Margins.	Marginal Increase.	Loading.
	Per Week. s. d.	Per Week. s. d.	Per Week. s. d.
Patching and scurfing retorts and cleaning flues—man continuously employed as such	21 0	2 0	4 0
Stoker in charge of gas or steam engine, or other works plant	21 0	2 0	4 0
Stoker, vertical retort	18 0	2 0	4 0
Stoking machine driver	18 0	2 0	4 0
Stoker, horizontal retort (machine)	16 0	2 0	3 0
Stoker, hand charging	14 0	2 0	3 0
Retort (vertical) operator	18 0	2 0	4 0
Operator vertical retort	18 0	2 0	4 0
Fircman retort house	18 0	2 0	4 0
Machine and stage man	16 0	2 0	3 0
Hydraulic and tar main attendant	15 0	2 0	3 0
Augerer and pipe jumper	14 0	2 0	3 0
Coke and coal conveyor attendant (day worker)	9 0	2 0	3 0
Greaser and oiler (in retort house)	7 0	2 0	3 0
Elevator and coal crusher attendant	6 0	2 0	3 0
Coke and coal conveyor attendant (shift worker)	6 0	2 0	3 0
Oxide breaker—man attending and operating	6 0	2 0	3 0
Purifier—man opening up, or emptying, or filling	6 0	2 0	3 0
All others	Nil.	Nil.	3 0

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 5th March, 1946.