

[1765]



# VICTORIA GOVERNMENT GAZETTE.

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[1947

Factories and Shops Acts.

## DETERMINATION OF THE TILE LAYERS BOARD.

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

(b) On the 7th July, 1926, by Order in Council, the Tile Layers Board was deprived of 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, and such power was conferred exclusively on the Bricklayers Board.

(c) On the 7th April, 1937, by Order in Council, the Tile Layers 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 fixing acoustic tiles moulded into slab form, and having an earth base, and conferring such power exclusively on the Fibrous Plasterers Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now has the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed—

(1) laying or fixing tiles or mosaic;  
(2) laying or fixing glass sheets or pieces, of surface area not exceeding  $2\frac{1}{2}$  square feet each, as substitute for tiles;  
has made the following Determination, namely:—

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

2.

### WAGES.

Rates in columns lettered A are payable until the beginning of the first pay period in February 1947, thereafter the rates in columns lettered B shall be paid.

Apprentices.				Other Employees.			
		Per Week of 44 Hours.		Per Hour.		Per Week of 44 Hours.	
		A	B	s. d.		£ s. d.	
1st year	..	28 9	29 0	Adults A	3 8 <sup>12</sup> / <sub>22</sub> ..	8 3 6	
2nd ..	..	43 6	44 0				
3rd ..	..	58 3	58 9	Adults B	3 8 <sup>19</sup> / <sub>22</sub> ..	8 4 6	
4th ..	..	79 6	80 3				
5th ..	..	101 0	102 0				

PROPORTION (WITHIN ANY PLACE).  
One apprentice to every three or fraction of three workers receiving not less than £8 4s. 6d. per week of 44 hours.  
An indenture of apprenticeship has been prescribed by the Board.

### PROHIBITION OF EMPLOYMENT.

3. The Board has determined that no person under the age of 21 years shall enter the trade except as an apprentice.

### HOURS.

4. The ordinary hours shall be 44 per week to be worked in five or five and a half days, the daily hours being respectively 8 hours 48 minutes Monday to Friday inclusive or 8 hours Monday to Friday inclusive and 4 hours on Saturday between the hours of 7.30 a.m. and 5.30 p.m. Monday to Friday inclusive and 7.30 a.m. to 12 noon Saturday. The lunch break shall be not less than 42 minutes.

### OVERTIME.

5. That the following rates shall be paid for all work done:—

- (a) Within the hours fixed in clause 4 in excess of 44 hours per week—Time and a half for the first two hours and thereafter double time.  
(b) Outside the hours fixed in clause 4—

	On Saturday or the Day on which the Half-holiday is usually Observed.	On the other Working Days of the Week.
Between midnight and 7.30 a.m. ..	Double time	
.. 12.15 p.m. and 2.15 p.m. ..	Time and a half	
.. 2.15 p.m. and midnight ..	Double time	
.. 5.30 p.m. and 7.30 p.m. ..	.. ..	Time and a half
.. 7.30 p.m. and 7.30 a.m. ..	.. ..	Double time

## SPECIAL RATES.

6. Double time shall be the special rate for all work done on Sunday, New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day.

## SCAFFOLD WORK.

7. (a) All work performed on a fixed scaffold at a height of over 12 feet above ground or floor level shall be paid for at the rate of 1s. per day in addition to the ordinary rate.

(b) Employees working on swing scaffolding shall be paid 6d. per hour extra on their earnings whether hourly or piecework.

## INCLEMENT WEATHER.

8. Each employee shall be paid an allowance at ordinary rates for time lost through inclement weather, subject to the following conditions:—

- (i) That such allowance shall not exceed the equivalent of eight hours' pay in any one week.
- (ii) That weather shall not be regarded as inclement for the purposes of this clause, unless the employer or his representative on the job, and a representative of the men on such job, agree that it shall be so regarded. Failing such agreement weather shall not be regarded as inclement and work shall continue.
- (iii) Any intermission of work owing to inclement weather so regarded as aforesaid shall immediately cease and work shall be immediately resumed on the employer or his representative calling for a resumption of work.
- (iv) An employee shall not be entitled to payment as provided for in this clause, unless he remains on the job until a decision to cease work for the day has been made by agreement between the employer or his representative and a representative of the men.
- (v) The intermission of work by employees who would be exposed to or working in inclement weather so regarded in accordance with this clause shall not be a ground for intermission of work in places where employees are not so exposed to or are called upon to work in such inclement weather.

## ALLOWANCES IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

9. (a) The following payments shall be made in lieu of fares and travelling time within the radii named, using G.P.O., Melbourne (cr. Bourke and Elizabeth-streets) or the principal post offices at Ballarat, Bendigo and Geelong as centres:—

	s.	d.
Up to and including 12 miles .. .. .	2	0 per day
Over 12 miles and including 20 miles .. .. .	2	6 per day
Over 20 miles and including 30 miles .. .. .	3	0 per day

These allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 1s. 4d. per day travelling allowances shall be paid.

(b) When fares are necessarily incurred on "distant jobs" as defined in clause 10 (a), or on work performed outside the radii named in sub-clause (a) hereof, the provisions of that sub-clause shall apply, except that the local post office shall be the centre.

## ALLOWANCES IN RESPECT OF DISTANT JOBS.

10. (a) When distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause; the allowance to be made shall be—

	s.	d.
For less than a full week .. .. .	10	0 per day
For a full working week at the rate of .. .. .	42	0 per week

(b) In lieu of the payments prescribed in clause 9 (a) an employee to whom sub-clause (a) applies shall be paid travelling time (not exceeding ordinary working hours per day) at ordinary rates of pay, and, where incurred, second-class return fare, and 5s. to cover expense of reaching his home railway station and transport of tools if any cost necessary. Provided that the return fare shall not be payable if the employee is dismissed for misconduct or is held incompetent within one week of starting work or leaves within one month of engagement. Travelling time shall be calculated as from Spencer-street and Flinders-street Railway Stations or the home Central Railway Station (if residing in the country) to destination by rail or usual travelling facilities.

(c) If an employee elects to return to his home at the week end after three months of continuous service and thereafter at three-monthly periods he shall be paid a second-class return fare (Victorian Railways only) on the pay day which immediately follows the date on which he returns to the job.

If the work upon which the employee is engaged will terminate in the ordinary course within a further 28 days after the expiration of three months this sub-clause shall not apply.

## ALLOWANCE IN RESPECT OF MEALS.

11. Where an employee is required to work overtime in excess of one hour and has not been given notice of same on the previous working day, he shall be allowed an amount of 2s. 6d. for a meal. When working overtime for two hours or more, employees shall be allowed to take, without deduction of pay, 20 minutes for crib immediately after the ordinary ceasing time, and thereafter 30 minutes for crib shall be allowed after each four hours of continuous work. Provided that where an employee works overtime for two hours without taking the prescribed interval of 20 minutes, he shall be deemed to have worked two and one-third hours.

## EXCESS OF HOURS.

12. An employee who has worked continuously (except for meal intervals) for 20 hours, shall have a break of at least twelve hours before again starting work.

## REST PAUSE.

13. (a) There shall be a rest period of ten minutes from the time of ceasing to the time of resuming work between the hours of 9.30 a.m. and 11 a.m. without deduction of pay.

(b) The employer shall provide facilities to enable the employees to obtain an adequate supply of boiling water at meal times and rest periods.

## ANNUAL LEAVE.

14. (a) Subject to the provisions of sub-clauses (c) and (d) hereof, a period of fourteen consecutive days inclusive of public holidays occurring during the period shall be allowed as leave annually to all employees after twelve months' continuous service (less the period of annual leave) 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, excluding 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 1/13th of a week's wage in respect of each completed 88 hours 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 1/50th for each week or part thereof during which any such absence occurs.

(d) For the purpose of administering the provisions 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 received 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.  
 (iii) Where called up for military service up to three months in any qualifying period.  
 (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.  
 (f) Service before the 1st day of October, 1945, shall be disregarded for the purpose of calculating annual leave.  
 (g) Notwithstanding anything elsewhere contained in this Determination, an employer giving leave at the Christmas-New Year period may, at his option either:—  
 (i) Stand off without pay during the period of leave any employee who has not then qualified for the full period; or  
 (ii) Stand off for the period of leave any employee who has not then qualified for fourteen consecutive days' leave and pay him pro rata for the leave for which he has then qualified on the basis of 1/13th of a week's wages in respect of each 88 hours' consecutive service (exclusive of overtime) during his current qualifying twelve-monthly period.

## GENERAL PROVISIONS.

15. (a) When a tilayer is sent to a job and he is unable to proceed with his work owing to the job not being sufficiently advanced for the work of tiling to be done, he shall be paid at the hourly rate for such lost time.  
 (b) Should a tilayer be delayed from completing or going on with his work by reason of an insufficient supply of tiles, sand, cement, or other necessary materials, he shall be paid at the hourly rate for lost time incurred thereby.  
 (c) Where work is situated above or below the ground floor, all materials and water necessary shall be supplied on such floor ready for the tilayer to proceed with his work. Such materials shall not be set down on any floor at a greater distance, than 50 feet from the place where work is to be done.  
 (d) Where work has to be done in houses or buildings which are in occupation, the tilayer shall be paid at the hourly rate by the employer for any time lost on account of his being prevented from starting or ceasing work at the usual time, or for his having to knock off and lose time for any reasonable cause whilst he is working on such occupied premises.  
 (e) All suitable scaffolding shall be supplied and erected on all jobs for use of the tilayer to carry out his work.  
 (f) Where the tilayer has to make good any tiling left out or damaged through no fault of his own he shall be paid at the hourly rate for the time employed on such work.  
 (g) All places where tilayers are to work are to be cleaned up and made in a fit condition before work is commenced.  
 (h) All measurements are to be taken as full tile measurements.

## PAYMENT OF WAGES.

16. Wages, allowances, and other monies due shall be paid not later than the time of ceasing work on Thursday of each working week, or otherwise by mutual arrangement. On termination of employment by the employer all wages allowances, and other monies shall be paid at the time of dismissal.

## TIME AND WAGES RECORD.

17. Each employer shall keep a book or record showing the name and occupation of each employee, the place of working, the hours worked, and the wages rate or piecework price paid.

Such book or record shall be filled in and signed by the employee each week, and shall be kept by the employer for a period of twelve months at his place of business. During such period the Secretary for Labour may authorize at any time (except pay day) or place, the inspection of such book or record by the Secretary or a duly accredited representative of the Operative Tile Layers Society, provided that three days' notice of intention to make such inspection has been given to the employer.

## TERMINATION OF EMPLOYMENT.

18. One hour's notice of termination of employment shall be given by either employer or employee or one hour's pay shall be paid or forfeited in lieu thereof. Such hour shall be allowed the employee to gather, clean, pack, and transport his tools.

## APPRENTICES.

19. The provisions of clause 18 shall not apply to the employment of apprentices.

## PIECEWORK PRICES.

20. That the lowest piecework prices payable to any person engaged in the following kinds of work shall be:—

<i>Floor and Verandah Tiling.</i>			
Each area under one square yard	.. .. .	7s. 9d. per area	.. ..
Under three square yards	.. .. .	10s. 3d. per square yard	.. ..
Three square yards or over	.. .. .	9s. 0d. per square yard	.. ..
Loose moravian	.. .. .	15s. 0d. per square yard	.. ..
Steps of marble, slate, or material other than tiles with tile risers	.. .. .	1s. per foot run respectively for each step fixed or riser tiled	.. ..
Any step with nosing tread or riser tiles	.. .. .	4s. 0d. per foot run	.. ..
All mosaic, ceramic, moravian mounted, or loose tiling shall be laid on properly screeded floors prepared by the builder, and to be not more than one inch from the finished surface.			
<i>Wall Tiling.</i>			
Wall tiling	.. .. .	9s. 9d. per square yard	.. ..
Kitchen stove recesses	.. .. .	13s. 0d. per square yard	.. ..
Splash tiling under one square yard to basin and/or bath	.. .. .	13s. 0d. per room	.. ..
Ceilings, or offits	.. .. .	19s. 6d. per square yard	.. ..
Liners beads, coves, and capping	.. .. .	3d. per foot run in addition to full overall measurements	.. ..
Where brickwork or concrete has to be cut out to allow recessed fitting to be laid	.. .. .	4s. 0d. per fitting	.. ..
Soap and toilets with mitre surrounds	.. .. .	4s. 0d. each	.. ..
Tiled recesses in walls up to 6 in. x 6 in. square	.. .. .	7s. 9d. each	.. ..
Sills and revellies which occur in isolated cases	.. .. .	9d. per lineal foot in addition to overall measurements	.. ..
Architraves and skirting	.. .. .	9d. per lineal foot in addition to overall measurements	.. ..
Cutting on the rake to staircase dados	.. .. .	6d. per lineal foot	.. ..
In opalite or other glass tiling, also any other matrix which may be used, all walls shall be prepared by being rendered up with a scratch coat ready for the tilayer on which to start tiling, also all walls of this nature to be painted where necessary.			
<i>Open Joint Tiling.</i>			
Where tiles (other than tiles which by the nature of their manufacture form an open joint) are laid or fixed in any place whatsoever and spaced to a uniform open joint—			
(a) where joints are bagged	.. .. .	1s. per yard	in addition to the rates fixed in this schedule for laying and fixing
(b) where joints are struck	.. .. .	3s. 6d. per yard	

When the aggregate amount payable for any job has been computed according to the piecework prices contained herein, such amount shall be increased by the addition thereto of a sum equal to an amount of one-sixth of such aggregate amount

## PIECEWORK FIXED BY AN EMPLOYER.

21. The Board determines, under the provisions of section 150 of the *Factories and Shops Act* 1928, that any employer may fix and pay piecework prices to any person employed at any work for which this Board has not fixed piecework prices but has a fixed minimum wage provided that such employer shall base such piecework prices on the earnings of an average worker working under like conditions any such piecework prices shall be fixed so that an average worker can earn not less than the wages rate fixed by the Board for such work.

## PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rate for adults set out in clause 2 is 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 rate shall be automatically adjusted as prescribed in clause 23. Provided that the wages of apprentices, and the piecework prices, 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.

## Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State .. .. .	5 1 0	6 0	5 7 0	Melbourne

## ADJUSTMENT OF THE BASIC WAGE.

23 (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'all items' 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.

(b) Until the beginning of the first pay period to commence in May, 1947, the amounts of the Basic Wage shall be as prescribed in clause 22.

(c) 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 needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor '087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach '5 or more the basic wage shall be taken to the next higher shilling.

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

J. W. RYAN, Secretary.

Melbourne, 31st January, 1947.