



# VICTORIA GOVERNMENT GAZETTE.

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[1948

Factories and Shops Acts.

## DETERMINATION OF THE ASBESTOS-CEMENT WORKERS BOARD.

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

(b) On the 27th November, 1934, the Cement Articles Board was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons, or classes of persons, employed in the process, trade, or business of making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material, and such power was conferred exclusively on the Asbestos-Cement Workers Board.

**I**n accordance with the provisions of the Factories and Shops Acts, the Wages Board which since 24th April, 1939, has had the power to determine the lowest prices or rates which may be paid to any person or persons, or classes of persons:—

employed in the process, trade, or business of making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material; has made the following Determination, namely:—

1. That as from the 1st January, 1948, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.				Other Employees.			
Wages.				Wages.			
Per Week of 40 Hours.				Per Week of 40 Hours.			
Adjustable Weekly Rate.	Non- Adjustable War Loading.	Total Weekly Rate.		Adjustable Weekly Rate.	Non- Adjustable War Loading.	Total Weekly Rate.	
s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	
16 and under 17 years of age	43 8	1 0	44 8	Wet sheet machine leading hand ..	126 0	5 0	131 0
17 and under 18 years of age	60 3	1 2	61 5	Wet sheet machine operator ..	122 0	5 0	127 0
18 and under 19 years of age	71 4	1 4	72 8	Mixer operator—in sole charge of	122 0	5 0	127 0
19 and under 20 years of age	87 10	1 7	89 5	Tide mill .. .. .			
20 and under 21 years of age	98 5	2 1	100 6	Mixer operator—other .. .. .	119 0	5 0	124 0
No apprentices or improvers under the age of sixteen years to be engaged.				Asbestos treatment operator ..	121 0	5 0	126 0
				Cutter-off in charge .. .. .	126 0	5 0	131 0
Proportion (in any place).				Cutter-off .. .. .	118 6	5 0	123 6
				Platemán or stacker .. .. .	119 0	5 0	124 0
				Corrugating machine operator ..	119 0	5 0	124 0
				Hand corrugator .. .. .	117 6	5 0	122 6
				Wet trimmer (Power guillotine only)	119 0	5 0	124 0
				Dry trimmer—operating power			
				cutting machine .. .. .	119 0	5 0	124 0
				Accessories hand moulder—welded			
				or grafted mouldings .. .. .	121 0	5 0	126 0
				Accessories hand moulder—plain			
				mouldings .. .. .	119 0	5 0	124 0
				Operator cement bulk handling ..	121 0	5 0	126 0
				Pipe machine leading hand .. ..	130 0	5 0	135 0
				Mazza machine control operator ..	121 0	5 0	126 0
				Pressure pipe curing tank hand ..	118 6	5 0	123 6
				Operator pressure pipe turning and			
				socket boring machine .. .. .	118 6	5 0	123 6
				Operator pressure pipe turning and			
				socket boring machine (who sets			
				up machine) .. .. .	123 6	5 0	128 6
				Pressure pipe socket fitter .. ..	118 6	5 0	123 6
				All others .. .. .	116 0	5 0	121 0

Employees (other than leading hands) temporarily in charge of two or more men shall receive 6s. per week extra.

## ALLOWANCE FOR AFTERNOON AND NIGHT SHIFT.

3. Men working on shift work shall be paid, in addition to the rates set out in clause 2, at the rate of 10s. per week for night shift, and 7s. 6d. per week for afternoon shift. Where it is mutually agreed between employer and employees to commence work earlier than 12 midnight, as starting time for the night shift, work done between such commencing time and midnight shall be regarded as work done on the following day, and shall be paid for at the rate applying to that day's work.

## OVERTIME.

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

(a) outside the usual starting and finishing times.

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

- (i) more than 120 hours during any three consecutive weeks when working on a weekly rotation of shifts, or
- (ii) 240 hours during any six consecutive weeks when he is working on a fortnightly rotation of shifts, or
- (iii) more than 360 hours during any nine consecutive weeks when he is working on a three-weekly rotation of shifts.

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

## WEEKLY EMPLOYMENT.

5. (a) Employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any 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 usefully be 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.

## EMPLOYMENT FOR LESS THAN A FULL WEEK.

6. Employees who work during any week for less than 40 hours shall be paid for the first 20 hours at the rate of time and a quarter and for all time thereafter ordinary time up to but not exceeding the ordinary wages rate for an ordinary week's work. Provided that an employee shall be paid only for the time actually worked in any week the ordinary rate of wages where—

- (a) he voluntarily terminates his employment,
- (b) he is dismissed for misconduct or neglect of duty,
- (c) he voluntarily absents himself for any part of such week,
- (d) he attends but is not capable of satisfactorily carrying out his duties,
- (e) he commences, what is intended to be continuous employment, after the beginning of the normal working week.

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

## HOLIDAYS.

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

This shall not affect the right of an employer to require any employee to work on any such day (except Anzac Day) provided that such employee is paid the extra rates as set out in clause 8; an employee who, without permission from the employer, is absent on the working day immediately preceding such holiday or who likewise fails to resume work on the working day immediately following such holiday shall not be entitled to such payment.

## SPECIAL RATE FOR SUNDAYS AND HOLIDAYS.

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

## ANNUAL HOLIDAY.

9. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, No. 5111, and any amendments which may be made thereto from time to time.

## MEAL ALLOWANCE.

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

## SICK LEAVE.

11. (a) Where an employee has been in the service of an employer for a period of not less than three months, and is disabled by personal ill health, proof of which sickness is given to the employer by the production of a certificate from a legally qualified Medical Practitioner, statutory declaration, or other satisfactory evidence, within 48 hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay at ordinary rates to absent himself from work for a period not exceeding in the aggregate four days in any year of employment in the industry.

(b) Notwithstanding anything contained in sub-clause (a) hereof, if the full period of sick leave as prescribed herein is not taken in any year, such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year up to a period not exceeding 20 days, 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 purpose of this clause the year shall be deemed to commence on July 1st, (beginning on July 1st, 1946) and to end on the next following June 30th, and for the purpose of sub-clause (b) hereof service prior to 1st July, 1946, shall be disregarded.

## PERIODICAL ADJUSTMENT OF WAGES.

12. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 13. 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 1d., half or less than half of 1d. 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 3 0	6 0	5 9 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

13. (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 February, 1948, the amounts of the Basic Wage shall be as prescribed in clause 12.

(c) 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 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, 20th November, 1947.

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