



VICTORIA  
GOVERNMENT GAZETTE.

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No. 324]

FRIDAY, APRIL 29.

[1949

Factories and Shops Acts.

DETERMINATION OF THE WATCHMEN'S BOARD.

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

(b) Section 225 of the *Factories and Shops Act 1928* (No. 3677) provides that "every person employed as a watchman shall be granted one holiday in every week."

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed in lieu of the Nightwatchmen's Board to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the occupation of a watchman" has made the following Determination, namely:—

1. That on the 22nd March, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Classes of Employees.	Wages per Week of 44 Hours.					
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.			Other Parts of Victoria where this Determination applies.		
	Wages.	War Time Loading.	Total.	Wages.	War Time Loading.	Total.
	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>
Watchman (other than watchmen as defined in clause 3), who in addition to watching, performs manual work not subject to the Determination of any other Wages Board, while performing such work, at the rate of All others (other than watchmen as defined in clause 3) .. .. .	159 10	3 0	162 10	156 10	3 0	159 10
	144 5	3 0	147 5	141 5	3 0	144 5

WHARF WATCHMEN.

3. (a) Wharf Watchmen—i.e. persons employed as watchmen in connexion with overseas and/or interstate shipping shall be paid as follows:—

(i) on wharfs and/or ships (excluding ships' holds) at the rate of 4s. 1½d. per hour.

(ii) in ships' holds at the rate of 4s. 8½d. per hour.

(b) Wharf watchmen shall, if required by the employer, make appropriate notes in connexion with damaged or pillaged cargo.

OVERTIME.

4. (a) Any time worked in excess of 44 hours in any one week shall be paid for at the rate of time and a half.

(b) For the purpose of computing overtime, all time actually worked on Sundays shall be included.

EMPLOYMENT FOR LESS THAN FULL WEEK.

5. Employees except wharf watchmen as defined in clause 3, who are employed during any week for less than the working week of 44 hours shall be paid for the first 22 hours at the rate of time and a quarter, and for every hour thereafter ordinary time up to but not exceeding the ordinary wages rates for an ordinary week's work.

Provided that any person who is not engaged for a week but who earns a sum in wages equal to the wages of an ordinary week's work may be required by the employer to complete the week's work without further pay, and if such person refuses to do so he shall forfeit his right to any payment for that week unless his refusal is caused by his illness, inability, or some other sufficient cause beyond his control.

**SPECIAL RATES.**

6. Time and a half shall be the special rate for all work done on Sunday, and double time for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac 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, the special rate shall only be payable for work done on the day so substituted:

Provided that a person who is directed by his employer to absent himself from duty on any of the days above mentioned shall if he is unable to complete 44 hours' work in that particular week, be paid ordinary rates for any such day on which he is absent.

**TRAVELLING TIME AND FARES.**

7. Any watchman employed on wharfs, ships, &c., away from the Melbourne wharfs and Victoria Dock shall be paid for travelling time at the ordinary rate together with all fares necessarily incurred by the most economical means of travel from and to the place of engagement to and from the place of employment.

**EMPLOYEE PROVIDING OWN BICYCLE.**

8. Any patrol watchman required by his employer to provide his own bicycle shall receive 1s. per week extra.

**MINIMUM PAYMENT.**

9. Any watchman called up for duty shall receive at least four hours' pay.

**PAYMENT FOR MEAL TIMES.**

10. No deduction shall be made in an employee's time for a meal period of 30 minutes unless he is permitted to leave his employer's premises for such meal. An employee shall not be required to punch clocks during the meal period of 30 minutes.

**MEAL ALLOWANCE.**

11. Where an employee is directed by the employer to work more than two hours into the next shift he shall be supplied by the employer with a meal or be paid a meal allowance of 2s., provided he was not notified the previous day that he would be required to work.

**ANNUAL HOLIDAY.**

12. (a) 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.

(b) In addition to the leave prescribed by sub-clause (a) hereof, seven day shift workers, i.e. shift workers in continuous employment with the same employer, who, in each twenty-four hours including Sundays and Public Holidays, are required each week to work shifts for their ordinary working hours, rotating either in three shift periods or two shift periods, as the case may be, shall be allowed seven consecutive days' leave, including non-working days, without deduction of pay.

(c) Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven day shift worker, he shall be entitled to have the period of two weeks' annual leave prescribed by the said Act increased by one half day for each month he is continuously engaged as aforesaid.

(d) If in any twelve-monthly qualifying period a seven day shift worker lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid, in addition to all other amounts (including any payment in lieu of annual leave as prescribed by sub-clause (a) hereof) due to him, an amount equal to one-fiftieth of his ordinary pay for the period of employment as a seven day shift worker.

**SICK LEAVE.**

13. (a) An employee, except wharf watchmen as defined in clause 3, who has been in the service of an employer for not less than three months, shall be entitled to sick leave of absence for a maximum aggregate of forty-four hours of working time with full pay during each subsequent twelve months' service provided he produces satisfactory evidence to his employer that such absence was caused by ill-health or an accident.

(b) Notwithstanding the provisions of 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 eighty-eight hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay. For the purposes of this sub-clause service prior to 18th November, 1946, shall be disregarded.

**PERIODICAL ADJUSTMENT OF WAGES.**

14. The wages rates set out in clauses 2 and 3 are based upon the following basic wage 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 in clause 15, provided that for every increase or decrease of 1s. in the basic wage the rates in clause 2 shall be increased or decreased by 1/1 and the rates in clause 3 shall be increased or decreased by 1/4.

**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 17 0	6 0	6 3 0	Melbourne

**ADJUSTMENT OF BASIC WAGE.**

15. (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, 1949, the amounts of the Basic Wage shall be as prescribed in clause 14.

(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.

P. A. RANDES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 23rd March, 1949.



# VICTORIA GOVERNMENT GAZETTE.

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[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 325]

FRIDAY, APRIL 29.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE BRICK TRADE BOARD.

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

(b) On 21st February, 1911, the powers of the Brick Trade Board were extended so that it might fix "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 sand, lime, or cement brickmaking."

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 the process, trade, or business of brickmaking (including clay-digging)" has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 23rd March, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(a)	Improvers.	Other Employees.	Per Hour.	Wage per Week of 40 Hours.
<b>WAGES.</b>		<b>FIREBRICKS AND TEXTURE BRICKS.</b>		
<b>FIREBRICKS AND TEXTURE BRICKS.</b>		<b>Burners .. .. .</b>	<i>s. d.</i> 4 1½	<i>s. d.</i> 164 0
	Per Week of 40 Hours.	<b>Crusher attendants who also haul .. .. .</b>	3 9 <sup>3</sup> / <sub>20</sub>	150 6
	<i>s. d.</i>	<b>Crusher attendants who do not haul .. .. .</b>	3 8½	148 0
14 years of age .. .. .	50 11	<b>Wet or dry pan attendants who do not haul .. .. .</b>	3 9 <sup>2</sup> / <sub>10</sub>	151 0
15 " " .. .. .	52 10	<b>Machine Drivers* .. .. .</b>	3 9 <sup>2</sup> / <sub>10</sub>	151 9
16 " " .. .. .	56 0	<b>Wire cut attendant, column man, or off-bearers from wire cut machine .. .. .</b>	3 9 <sup>2</sup> / <sub>20</sub>	150 6
17 " " .. .. .	63 1	<b>Hand moulders, dressers and cutters .. .. .</b>	4 0 <sup>3</sup> / <sub>10</sub>	161 0
18 " " .. .. .	76 8	<b>Drawers* .. .. .</b>	3 10 <sup>17</sup> / <sub>40</sub>	154 9
19 " " .. .. .	100 10	<b>Setters* .. .. .</b>	4 4 <sup>17</sup> / <sub>40</sub>	174 9
20 " " .. .. .	105 5	<b>Facemen working in a clayhole 25 feet or less in depth* .. .. .</b>	4 0 <sup>27</sup> / <sub>40</sub>	162 3
<b>OTHER BRICKS.</b>		<b>All other facemen* .. .. .</b>	4 1 <sup>11</sup> / <sub>40</sub>	164 3
14 years of age .. .. .	53 0	<b>Wheelers of green or burnt bricks .. .. .</b>	3 10 <sup>19</sup> / <sub>20</sub>	155 6
15 " " .. .. .	55 4	<b>Clayhole men (employer to provide tools)* .. .. .</b>	3 11 <sup>3</sup> / <sub>40</sub>	159 3
16 " " .. .. .	58 3	<b>Pressers .. .. .</b>	3 8 <sup>17</sup> / <sub>20</sub>	149 6
17 " " .. .. .	65 9	<b>Loftmen .. .. .</b>	3 8 <sup>17</sup> / <sub>20</sub>	149 6
18 " " .. .. .	79 8	<b>Dampermen or Kiln Cleaners* .. .. .</b>	3 10 <sup>25</sup> / <sub>40</sub>	155 3
19 " " .. .. .	105 0	<b>Yardmen and wastemen .. .. .</b>	3 8½	148 0
20 " " .. .. .	109 7	<b>OTHER BRICKS.</b>		
Provided that any improver employed as a loft-worker, or at taking off from a single brick machine, be paid not less than 108s. 5d. per week of 40 hours plus an allowance at the rate of 3s. 6d. per week as compensation for time lost through wet weather.		<b>Burners .. .. .</b>	4 1½	164 0
Provided also that improvers trucking from a single brick machine or taking off or trucking from a double brick machine shall be paid not less than the rate fixed for truckers.		<b>Machine drivers or machine riggers* .. .. .</b>	3 11 <sup>3</sup> / <sub>40</sub>	159 3
<b>PROPORTION (in any factory or place).</b>		<b>Wet or dry pan attendants who do not haul .. .. .</b>	3 10½	156 0
One improver to every eight or fraction of eight employees receiving not less than 148s. per week of 40 hours.		<b>Crusher attendants who do not haul .. .. .</b>	3 10 <sup>7</sup> / <sub>20</sub>	154 6
		<b>Crusher and wet or dry pan attendants who also haul .. .. .</b>	4 0 <sup>3</sup> / <sub>20</sub>	160 6
		<b>Drawers and setters of fancy bricks (other than those employed in Hoffman kilns)* .. .. .</b>	4 0 <sup>27</sup> / <sub>40</sub>	162 3
		<b>Other drawers* .. .. .</b>	4 1 <sup>17</sup> / <sub>40</sub>	164 9
		<b>Other setters* .. .. .</b>	4 4 <sup>17</sup> / <sub>40</sub>	174 9
		<b>Facemen working in a clayhole 25 feet or less in depth* .. .. .</b>	4 2 <sup>7</sup> / <sub>10</sub>	167 3
		<b>All other facemen* .. .. .</b>	4 3 <sup>35</sup> / <sub>40</sub>	173 3
		<b>Clayhole men (employer to provide tools)* .. .. .</b>	4 1 <sup>11</sup> / <sub>40</sub>	164 3
		<b>Hand moulders, lime grinders, lime crushers, pressers, sand and lime mixers or silomen .. .. .</b>	3 11 <sup>11</sup> / <sub>20</sub>	158 6
		<b>Off-bearers from wire cut machines .. .. .</b>	3 10 <sup>13</sup> / <sub>20</sub>	155 6
		<b>Truckers .. .. .</b>	3 10 <sup>13</sup> / <sub>20</sub>	155 6
		<b>Adults taking off brick machines .. .. .</b>	3 10 <sup>13</sup> / <sub>20</sub>	155 6
		<b>Dampermen or kiln cleaners* .. .. .</b>	4 0 <sup>3</sup> / <sub>40</sub>	160 3
		<b>Loftmen .. .. .</b>	3 10½	154 0
		<b>Yardmen and wastemen .. .. .</b>	3 9 <sup>3</sup> / <sub>10</sub>	153 0

\* The Board has determined that no person shall be taken as an apprentice.

\* The rates prescribed for these classifications include an allowance of 1/3 per week for wear and tear on clothing.

(b) The wage rates prescribed in the Other Bricks Section in sub-clause (a) hereof, include the following allowances, as compensation for time lost through wet weather:—

(i) All adults (other than burners) at the rate of 5s. per week of 40 hours.

(ii) Improvers—

14 years of age—at the rate of	1s. 8d. per week of 40 hours.
15 .. .. .	1s. 3d. .. 40 ..
16 .. .. .	1s. 10d. .. 40 ..
17 .. .. .	2s. 0d. .. 40 ..
18 .. .. .	2s. 6d. .. 40 ..
19 .. .. .	3s. 3d. .. 40 ..
20 .. .. .	3s. 5d. .. 40 ..

#### TIME OF BEGINNING AND ENDING WORK.

3. For any persons except burners, machine drivers, machine riggers, and pan or crusher attendants—

Time of Beginning.	Time of Ending.
7.30 a.m. .. ..	12 noon on Saturdays, or the day on which the half-holiday is locally observed.
7.30 a.m. ... ..	5 p.m. on each of the other five working days of the week.

#### SPECIAL RATE.

4. Burners on night shift shall be paid 10 per cent. extra for work performed between 6 p.m. and 6 a.m.

#### OVERTIME.

5. (a) Any employee who works for any time in excess of the ordinary hours of work per day shall be paid for such extra time at the rate of time and a half. Provided that where an employee ordinarily works a five-day week, work done on Saturday shall be deemed to be overtime, and shall be paid for as such, except in the case where an employee is required to work on such Saturday to make up for time lost (except because of Public Holidays) through any circumstances over which the employer had no control. In such an excepted case the employee shall only be entitled to be paid at ordinary rates for the first four hours worked on such Saturday.

(b) Any employee (other than a burner, machine driver, machine rigger, or pan or crusher attendant) who works outside the spread of hours fixed in clause 3 shall be paid for such time at the rate of time and a half.

(c) All work done by machine drivers, machine riggers, and pan or crusher attendants either before the ordinary starting time or after the ordinary finishing time of the factory shall be paid for at the rate of time and a half irrespective of the number of hours worked.

#### MEAL ALLOWANCE.

6. An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall be paid a meal allowance of 2s. 6d.

#### SUNDAYS AND HOLIDAYS.

7. Double time shall be the special rate for all work done on Sundays, and the following Holidays:—

New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac 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, the special rate shall only be payable for work done on the day so substituted.

#### PAYMENT FOR HOLIDAYS.

8. All employees shall, as far as practicable, be granted the holidays mentioned in clause 7 without deduction of pay.

#### PAYMENT OF WAGES.

9. All wages due shall be paid not later than Friday in each week, except where otherwise mutually agreed between employer and employee.

#### ANNUAL HOLIDAY.

10. 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.

#### 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 medical certificate or other satisfactory evidence within twenty-four hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay 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 the previous sub-clause if the full period of sick leave as prescribed above 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 twenty 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 purposes of this clause a year shall be deemed to commence on the 1st July and to end on the next following 30th June.

#### TERMINATION OF EMPLOYMENT.

12. In any case where it is intended to close down a kiln or kilns or portion or the whole of the works, one week's notice of such intention shall be given to employees whose services are to be terminated: such week's notice shall not apply when the closing of the works is brought about because of any strike or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

#### MORNING TEA INTERVAL.

13. A morning tea interval of seven minutes shall be allowed employees each morning during ordinary working hours without deduction of pay, such interval shall be arranged by the employer so as to avoid the necessity for a stoppage of operations in the establishment.

#### ASSISTANCE FOR TRUCKERS.

14. Persons trucking 75 yards or over shall be supplied with assistance, and any person so assisting shall be paid at a trucker's rate.

#### INJURED EMPLOYEES.

15. In all cases of accidents where it is deemed necessary to send the injured person to a hospital or a doctor he shall be accompanied by an attendant.



## PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates set out in clause 2 are based upon the basic wage set out in Table "A" hereof 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 in clause 22. Provided that proportionate adjustments to the rates for improvers and to the piecework prices shall be made at the same time as follows:

- (a) In the case of improvers and hand moulding and setting by piecework to the nearest penny, half or less than half of one penny to be disregarded.
- (b) In the case of drawers, wheelers, stackers and loaders by piecework, an increase or decrease, as the case may be, in accordance with the schedule set out in Table "B" hereof.

TABLE "A"

## 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 17 0	6 0	6 3 0	Melbourne

TABLE "B"

Index Number Division for Deductions.	Amounts of Deduction.	Index Number Division for Additions.	Amounts of Addition.
1340-1350	Nil.	1340-1350	Nil.
1328-1339	$\frac{1}{4}$ d.	1351-1362	$\frac{1}{4}$ d.
1317-1327	$\frac{1}{4}$ d.	1363-1373	$\frac{1}{4}$ d.
1305-1316	$\frac{3}{4}$ d.	1374-1385	1d.
1294-1304	1d.	1386-1396	1 $\frac{1}{4}$ d.
1282-1293	1 $\frac{1}{4}$ d.	1397-1408	1 $\frac{3}{4}$ d.
1271-1281	1 $\frac{1}{4}$ d.	1409-1419	1 $\frac{3}{4}$ d.
1259-1270	1 $\frac{3}{4}$ d.	1420-1431	2d.
1248-1258	2d.		

## ADJUSTMENT OF BASIC WAGE.

22. (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, 1949, the amounts of the Basic Wage shall be as prescribed in clause 21.

(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, 11th March, 1949.