



# VICTORIA GOVERNMENT GAZETTE.

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[1949

Factories and Shops Acts.

## DETERMINATION OF THE WHARFS AND JETTIES 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, which since the 10th November, 1927, has had the power to "determine the lowest prices or rates which may be paid to any persons employed in the trade of constructing or demolishing wooden or concrete wharfs, piers, or jetties," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 3rd October, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. (a)

### APPRENTICES AND IMPROVERS.

	Wages.			PROPORTION (in any place).
	Adjustable Rate.	Plus War Loading (Non-adjustable).	Total Wage.	
	<i>s. l.</i>	<i>s. d.</i>	<i>s. d.</i>	
Under 16 years of age .. .. .	44 0	2 0	46 0	<p><i>Apprentices.</i> One apprentice to every three or fraction of three workers receiving not less than 15s. per week.</p> <p><i>Improvers.</i> Three improvers to every four or fraction of four workers receiving not less than 15s. per week.</p>
" 17 " " .. .. .	57 0	2 6	59 6	
" 18 " " .. .. .	69 3	3 0	72 3	
" 19 " " .. .. .	87 0	3 9	90 9	
" 20 " " .. .. .	100 6	4 6	105 0	
" 21 " " .. .. .	117 0	5 3	122 3	

(b)

### OTHER EMPLOYEES.

	WAGES.			
	Day Work.			
	Adjustable Rate.	Plus War Loading (Non-adjustable).	Special Loading (Non-adjustable).	Total Wage.
	<i>£ s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>£ s. d.</i>
Leading hand, i.e., a person in charge of not less than—				
(a) three nor more than ten employees .. .. .	8 18 3	6 0	17 8	10 1 11
(b) eleven nor more than fifteen employees .. .. .	9 1 3	6 0	17 8	10 4 11
Pile-driver .. .. .	8 15 3	6 0	17 8	9 18 11
Pile-driver's offsider .. .. .	7 13 0	6 0	9 7	8 8 7
Wharf carpenters, employed on cross heads, beams, walings, transoms, kerbings, capping and bollards, braces or lower walings, decking, marginal or stepping decking, fenders, tie beams, trimmers, ladders and steps, platforms for points and approaches thereto, boat landings, ring bolts, mooring hooks, mooring piles, beacons, fencing, pile-pointing, pile-ringing, form work for concrete construction, or fitting and fastening all angle iron for waterways .. .. .	8 12 3	6 0	17 8	9 15 11

OTHER EMPLOYEES—continued.

	WAGES.			
	Day Work			
	Adjustable Rate.	Plus War Loading (Non-adjustable).	Special Loading (Non-adjustable).	Total Wage.
	£ s. d.	s. d.	s. d.	£ s. d.
Oxy acetylene burner on demolition work .. .. .	8 12 3	6 0	..	8 18 3
Saw sharpener .. .. .	8 11 6	6 0	17 8	9 15 2
Machine borer .. .. .	7 13 0	6 0	9 7	8 8 7
Cleater .. .. .	7 13 0	6 0	..	7 16 0
Cradler or squarer .. .. .	7 10 0	6 0	..	7 16 0
Hand borer .. .. .	7 8 0	6 0	..	7 14 0
Wharf carpenter's assistant .. .. .	7 8 0	6 0	9 7	8 3 7
Diver's Assistant .. .. .	7 8 0	6 0	9 7	8 3 7
Dumper .. .. .	7 8 0	6 0	..	7 14 0
Other demolition workers .. .. .	7 5 6	6 0	..	7 11 6
Barge hand on shore plant .. .. .	7 5 6	6 0	12 1	8 3 7
All others .. .. .	7 5 0	6 0	..	7 11 0
CONCRETE WORK.				
Pneumatic pick user or jack hammer-man .. .. .	7 11 0	6 0	..	7 17 0
Concrete floater .. .. .	7 10 0	6 0	9 7	8 5 7
Mixer operator .. .. .	7 10 0	6 0	9 7	8 5 7
Men filling moulds .. .. .	7 8 0	6 0	..	7 14 0
Gaugers, i.e., persons filling gauged barrows or boxes .. .. .	7 8 0	6 0	9 7	8 3 7
Other mixers .. .. .	7 8 0	6 0	..	7 14 0
Men employed on reinforcements .. .. .	7 8 0	6 0	..	7 14 0
Barrowmen or general labourers .. .. .	7 5 0	6 0	9 7	8 0 7

(c) When work is performed in two shifts per day the rates prescribed in clause 2 (b) hereof for day work shall be increased by 7½ per cent. in respect of all work done in the second or night shift.

HOURS.

3. The number of hours to constitute an ordinary week's work shall be 40.

TERMS OF ENGAGEMENT.

4. (a) Engagement may be by the week or by the hour. If by the week it shall be terminable on either side by a week's notice, which may be made to expire at any time during a week of the employment.

Provided that this clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct, in which case the employee shall be entitled to payment in respect of wages only up to such time of dismissal.

(b) If engagement is by the hour, the rates of wages shall be increased by 10 per cent. per week to cover payment for holidays and sick leave, but such amount shall not be taken into consideration when computing overtime, Sunday and holiday rates.

TIME OF BEGINNING AND ENDING WORK.

5. (a) The spread of hours shall be as follows:—

Day work—

	Time of Beginning.	Time of Ending.
Monday to Friday .. .. .	8 a.m.	5 p.m.

Where two shifts are worked—

Monday to Friday (day shift) .. .. .	6.30 a.m.	2.30 p.m.
Monday to Friday (afternoon shift) .. .. .	2.30 p.m.	10.30 p.m.

Any of the above times of beginning and ending may be varied on any job by mutual consent of the employer and the majority of the employees, but in no case shall the total length of any shift be increased.

(b) The higher rate to be paid for each hour or fraction of an hour worked by any employee before or after his shift, or on Saturday, shall be time and a half for the first two hours, and thereafter double time. An employee recalled to work after having ceased for the day shall be paid for a minimum of two hours work at the appropriate rate.

FARE ALLOWANCE.

6. In addition to the amounts otherwise prescribed, an employee shall be paid an amount of 2s. 6d. per week as a fare allowance.

HOLIDAYS.

7. (a) An hourly employee shall be entitled to receive the following holidays without pay:—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 abovenamed holidays, the day so substituted shall be observed.

(b) An employee on weekly engagement shall be entitled to the above-mentioned holidays without deduction of pay.

HOLIDAYS AND SUNDAY WORK.

8. All time worked on Sundays or on any of the holidays prescribed herein shall be paid for at the rate of double time. An employee required to work on a Sunday or holiday shall be paid for a minimum of two hours' work at the overtime rate.

"Rate of double time" for weekly employees shall mean as to the holidays set out an extra payment at the ordinary rate in addition to the rate ordinarily receivable.

SPECIAL RATES.

Confined Spaces.

9. (a) Working in confined space (as defined), 3d. per hour extra.

Confined space means a place the dimensions or nature of which necessitate working in a cramped position or without sufficient ventilation.

*Dirty Work.*

(b) Work which the engineer or inspector in charge of the job shall approve as being of an unusually dirty or offensive nature—1½d. per hour extra.

A decision shall be given on the workman's claim within 48 hours of its being asked for (unless the time expires on a non-working day, in which case it shall be given during the next working day), or else the said allowance shall be paid.

In any case where an organization alleges that an employer or his representative is persistently unreasonable or capricious in relation to such claims, it shall have the right to bring such case before the Wages Board.

(c) An employee spreading or floating metalcote shall be paid 1s. per day or any portion of a day in addition to his ordinary rate.

*Special Rates not Cumulative.*

(d) Where more than one of the disabilities entitling a workman to extra rates exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

*Diving.*

(e) An employee when engaged in diving shall receive the sum of £1 7s. per dive, in lieu of his ordinary rate. A dive shall cover all time up to half a day including preparation before and after the dive.

## SICK LEAVE.

10. (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 necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health for more than 40 hours of working time in each year of service.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed 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 120 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.

## ANNUAL HOLIDAY.

11. 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.

## WET WORK RATE.

12. Men who in the ordinary course of their work are—

- |  |         |  |
|--|---------|--|
| (i) Wetted from feet to knees .. .. .            | .. .. . | } shall be paid 1s. per day or portion of a day extra, irrespective of whether rubber boots are worn or not. |
| (ii) Working on rafting or staging awash .. .. . | .. .. . |  |

## CRIB TIME.

13. A period of 25 minutes shall be allowed to shift workers for crib time, without deduction of pay.

## MEAL ALLOWANCE.

14. 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 either be supplied with a meal by the employer or paid 2s. 6d., or if the work extends into a second meal hour 5s. for the two meals, but such payment need not be made to employees living in the same locality as their work and who can reasonably return home for meals.

## LIVING ALLOWANCE, ETC.

15. (a) Where an employee is sent from one place to another, and cannot reasonably return to his home each night, he shall be paid an allowance of 10s. per day or part thereof for the first seven days, and 42s. per week thereafter, except where camping facilities are provided by the employer.

(b) An employee who has been directed by his employer to proceed to construction work on a distant job may after three months' continuous service thereon, and thereafter at three-monthly periods of continuous service thereon, return to his home at a week-end. If he does so, he shall be paid the amount of a second-class return railway fare on the pay-day which immediately follows the date on which he returns to the job, provided no delay not agreed to by the employer takes place in connexion with the employee's commencing of work on the morning of the working day following the week-end.

Provided, however, that if the work upon which the employee is engaged will terminate in the ordinary course within a further twenty-eight days after the expiration of any such period of three months as is hereinbefore mentioned then the provisions of this sub-clause shall not be applicable.

## TEA BREAK.

16. A tea break of ten minutes' duration on each day or shift to be counted as time worked shall be allowed employees without deduction of pay. The employer shall fix the time of the tea break and shall provide the necessary labour to brew the tea at the commencement of the tea break.

## HOT WATER.

17. The employer shall make provision where practicable for the supply of hot water during meal hours.

## CHANGING TIME.

18. When an employee, in the course of his work, falls or is knocked into water, not more than one hour without deduction of pay shall be allowed to enable him to change into dry clothing.

## MIXED FUNCTIONS.

19. Where an employee is required to do, and does on any one day for a time exceeding four hours in the aggregate, work for which a higher rate is prescribed than for other work done by him on that day, he shall be paid at not less than such higher rate for all work done by him on that day.

## TOOL ALLOWANCE.

20. A wharf carpenter shall be paid a tool allowance of 2s. per week in addition to his ordinary wage.

## TRANSPORT OF INJURED OR SICK EMPLOYEES.

21. An employer shall take immediate action to provide for an employee, if required, the necessary transport in the case of sickness or injury arising out of the normal duties of such employee.

## SHELTER, ETC.

22. Where operations are continuously carried on each employer shall provide suitable dressing accommodation with a concrete or timber floor, and including seating and clothes hanging facilities on all jobs. Where three or more men are employed, and the work is estimated to last one week or more, a shelter shed based on six square feet per person with a minimum of 50 square feet, shall be provided. Such shed shall be for the exclusive use of workmen and not used for the storage of tools or other materials.

*First Aid Outfit.*

23. At all places where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an efficient first-aid outfit.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles :—

Articles.	Quantities to be Kept in Ambulance Chest—
Antiseptic solution .. .. .	1 bottle
Bandages, cotton and gauze .. .. .	1 dozen assorted sizes
Castor oil .. .. .	2 oz.
Iodine, tincture of .. .. .	2 oz.
Manual, first-aid .. .. .	1
Petrolatum, carbolized .. .. .	1 jar
Picric acid solution, made according to the following recipe or prescription :— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety .. .. .	1 packet
Sal volatile .. .. .	6 oz.
Scissors .. .. .	1 pair
Tourniquet .. .. .	1
Tweezers .. .. .	1 pair
Cotton, absorbent .. .. .	} An adequate assortment
Gauze, sterilized, plain .. .. .	
Lint, absorbent .. .. .	
Plaster, adhesive .. .. .	

**PERIODICAL ADJUSTMENT OF WAGES.**

24. The wages rates set out in clause 2 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 by clause 25. Provided that the wages of apprentices and improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

*Basic Wage.*

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number not Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State .. .. .	6 2 0	6 0	6 8 0	Melbourne

**ADJUSTMENT OF BASIC WAGE.**

25. (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 November, 1949, the amounts of the basic wage shall be as prescribed in clause 24.

(c) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, 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.

**MARGINAL RATES.**

26. In addition to the basic wage provided in clause 24, the margins set out in this clause shall be the minimum rate payable to employees therein named :—

Classification.	Margins per Week.
	s. d.
Leading hand, i.e., a person in charge of not less than—	
(a) three nor more than ten employees .. .. .	50 3
(b) eleven nor more than fifteen employees .. .. .	53 3
Pile-driver .. .. .	47 3
Pile-driver's offsider .. .. .	25 0
Wharf carpenters, employed on cross heads, beams, walings, transoms, kerblings, capping and bollards, braces or lower walings, decking, marginal or stepping decking, fenders, tie beams, trimmers, ladders and steps, platforms for points and approaches thereto, boat landings, ring bolts, mooring hooks, mooring piles, beacons, fencing, pile-pointing, pile-ringing, form work for concrete construction, or fitting and fastening all angle iron for waterways .. .. .	44 3
Oxy acetylene burner on demolition work .. .. .	44 3
Saw sharpener .. .. .	43 6
Machine borer .. .. .	25 0
Cleater .. .. .	22 0
Cradle or squarer .. .. .	22 0
Hand borer .. .. .	20 0
Wharf carpenter's assistant .. .. .	20 0
Diver's assistant .. .. .	20 0
Dumper .. .. .	20 0
Other demolition workers .. .. .	17 6
Barge hand on shore plant .. .. .	17 6
All others .. .. .	17 0
<b>CONCRETE WORK.</b>	
Pneumatic pick user or jack hammer-man .. .. .	23 0
Concrete floater .. .. .	22 0
Mixer operator .. .. .	22 0
Men filling moulds .. .. .	20 0
Gaugers, i.e., persons filling gauged barrows or boxes .. .. .	20 0
Other mixers .. .. .	20 0
Men employed on reinforcements .. .. .	20 0
Barrowmen or general labourers .. .. .	17 0

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

J. W. RYAN, Secretary.

Melbourne, 16th September, 1949.