



VICTORIA GOVERNMENT GAZETTE.

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[1951

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.

IN 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 beginning of the first pay period to commence in December, 1950, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(a) WAGES.

Apprentices or Improvers.					Other Employees.			
Wages.					Wages.			
Per Week of 40 Hours.					Per Week of 40 Hours.			
	Percentage of Basic Wage.	Adjustable Weekly Rate.	Non-Adjustable War Loading.	Total Weekly Rate.		Adjustable Weekly Rate.	Non-Adjustable War Loading.	Total Weekly Rate.
		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
16 and under 17 years of age	50	81 0	1 0	82 0	Wet sheet machine leading hand ..	185 0	5 0	190 0
17 and under 18 years of age	58	94 0	1 2	95 2	Wet sheet machine operator ..	181 0	5 0	186 0
18 and under 19 years of age	69	112 0	1 4	113 4	Mixer operator—in sole charge of Tide mill ..	181 0	5 0	186 0
19 and under 20 years of age	85	137 6	1 7	139 1	Mixer operator—other ..	178 0	5 0	183 0
20 and under 21 years of age	100+2s.	164 0	2 1	166 1	Asbestos treatment operator ..	180 0	5 0	185 0
					Cutter-off in charge ..	185 0	5 0	190 0
					Cutter-off ..	177 6	5 0	182 6
					Plateman or stacker ..	178 0	5 0	183 0
					Corrugating machine operator ..	178 0	5 0	183 0
					Hand corrugator ..	176 6	5 0	181 6
					Wet trimmer (Power guillotine only)	178 0	5 0	183 0
					Leading hand in charge of dry trimming ..	185 0	5 0	190 0
					Dry trimmer—operating power cutting machine ..	178 0	5 0	183 0
					Accessories hand moulder—welded or grafted mouldings ..	180 0	5 0	185 0
					Accessories hand moulder—plain mouldings ..	178 0	5 0	183 0
					Operator cement bulk handling ..	180 0	5 0	185 0
					Pipe machine leading hand ..	189 0	5 0	194 0
					Mazza machine control operator ..	180 0	5 0	185 0
					Pressure pipe curing tank hand ..	177 6	5 0	182 6
					Operator pressure pipe turning and socket boring machine ..	177 6	5 0	182 6
					Operator pressure pipe turning and socket boring machine (who sets up machine) ..	182 6	5 0	187 6
					Pressure pipe socket fitter ..	177 6	5 0	182 6
					All others ..	175 0	5 0	180 0

No apprentices or improvers under the age of sixteen years to be engaged.

PROPORTION (IN ANY PLACE).

Apprentices and Improvers.

Two apprentices or improvers to every three or fraction of three workers receiving not less than the rate prescribed for the classification "All others".

(b) An employee appointed as a leading hand or an employee temporarily in charge of three or more men shall be paid the rate herein prescribed for the class of work done, plus an allowance at the rate of 10s. per week, or the rate herein prescribed for his ordinary duties, whichever is the higher.

HOURS OF EMPLOYMENT.

Day Workers.

3. The hours of employment shall be 40 per week to be worked in five days. The commencing and finishing times once having been determined shall be alterable only by agreement, or by the employer giving the employees at least seven days' notice of the alteration.

Shift Workers.

- (i) The ordinary hours of a shift shall be eight, inclusive of 20 minutes for a meal break.
 - (ii) Men working on afternoon or night shift work shall be paid, in addition to the rates set out in clause 2, at the rate of 10s. per week. Where it is mutually agreed between employer and employees to commence work earlier than 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.
 - (iii) Shift rosters shall specify the commencing and finishing times of the ordinary working hours of the respective shifts. These times once having been determined may be varied by agreement between the employer and the majority of the men concerned or failing agreement, by seven days' notice given by the employer to the men concerned.
 - (iv) "Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.
- "Night shift" means any shift finishing after midnight and at or before 9 a.m.

OVERTIME.

4. Time and a half for the first four hours and double time thereafter shall be paid for all work done :—

- (a) outside the usual starting and finishing times;
- (b) within the usual starting and finishing times and in excess of 8 hours per day. Provided that where an employee is late for work he shall not be entitled to be paid at overtime rates until he has worked 8 hours for that day.

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 40 hours of working time 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 120 hours of working time, 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 for adults 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 by the same amount and at the same time as such basic wage as prescribed by clause 13.

BASIC WAGE.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Throughout the State	£ s. d. 8 2 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, 1951, the amount 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 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 103 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.

(d) The adjustable weekly rates of apprentices and improvers shall be the appropriate percentages as set out in clause 2, such rates shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 28th November, 1950.

