



VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

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

No. 969]

FRIDAY, NOVEMBER 27.

[1953

Factories and Shops Acts.

DETERMINATION OF THE LIMEBURNERS 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 Wage Board which now has 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:—

(a) making lime;

(b) pulverizing or bagging limestone;

has made the following Determination namely:—

1. That as from the 13th October, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

WAGES.

2. The rates prescribed in Columns lettered "A" are payable until the beginning of the first pay period to commence in May, 1952, thereafter the rates prescribed in Columns lettered "B" shall be payable.

(a) Apprentices or Improvers (Day Shift).

Wages Per Week of 40 Hours.	Percentage of Basic Wage.	—
16 years of age or under	49	<i>s. d.</i> 115 0
17 years of age	57	134 0
18 years of age	70	164 6
19 years of age	86	202 0
20 years of age	100	255 6
	plus 20s. 6d.	

PROPORTION (WITHIN ANY PLACE).

One apprentice and one improver to every three or fraction of three workers receiving not less than 263s. per week of 40 hours.

An indenture of apprenticeship prescribed by the Board was approved on 15th March, 1923.

(b) Other Employees (Day Shift).

Wages Per Week of 40 Hours.		
		s. d.
Hydrator Attendant	Group 1.	285 0
Operator of a mechanical bagging machine	Group 2.	280 6
Lime burner or feeder, Drawer, or Attendant	Group 3.	273 0
Crusher hand, Lime screener, Drawer's assistant, Slack lime worker, Loader (a person assigned by the foreman as responsible for the correct loading and tallying of a consignment)	Group 4.	266 0
All others	Group 5.	263 0

EXTRA PAYMENT FOR EMPLOYEES ON AFTERNOON OR NIGHT SHIFT.

3. Employees on Afternoon or Night Shift shall receive the rates provided in clause 2, plus 10 per cent.

MIXED FUNCTIONS.

4. An employee engaged for half or more of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

ORDINARY WEEKS WORK.

5. The ordinary hours for a weeks work shall be as follows:—

(a) For persons other than shift workers—

40 hours per week to be worked—

Monday to Friday 8 hours between 8 a.m. and 5 p.m.
 Saturday 4 hours between 8 a.m. and noon

The above times of beginning and ending work may be varied on any job by mutual consent of the employer and a majority of the employees, but in no case shall the total number of hours be increased except with the permission of the majority of the workers concerned.

(b) By shift workers—

Morning shift 7 a.m. to 3 p.m.
 Afternoon shift 3 p.m. to 11 p.m.
 Night shift 11 p.m. to 7 a.m.

OVERTIME.

6. (a) Persons other than shift workers—

For all time worked, excluding Sundays, outside the hours or in excess of the number of hours fixed in clause 5—
 Time and a half for the first three hours on any day, and double time thereafter.

(b) Shift workers.—Shift workers for all time worked in excess of or outside the ordinary working hours shall be paid at the rate of time and a half for the first four hours and double time thereafter except when such time is worked:—

(i) by arrangement between employees themselves;

(ii) for the purpose of effecting the customary rotation of shifts or is due to the fact that a relief man does not come on duty at the proper time.

Provided that where not less than eight hours' notice has been given to the employer by a relief man that he would be absent from work and the employee whom he should relieve is not relieved, then the unrelieved employee shall be paid time and a half for the first four hours and double time thereafter. All such overtime payments are in substitution for and not cumulative upon the shift work premiums hereinbefore prescribed.

(c) An employee recalled to work after the expiration of his ordinary working time or on a Sunday shall be paid for a minimum of two hours' work at the appropriate overtime rate.

WEEK END PENALTY RATES.

7. (a) For persons other than shift workers—Double time shall be the special rate payable for all work done on Sundays;

(b) For shift workers—Time and a quarter shall be the special rate payable for all work done during ordinary shift hours between midnight on Friday and midnight on Saturday, and time and a half shall be the special rate payable for all work done between midnight on Saturday and midnight on Sunday,

Where shifts commence between 11 p.m. and midnight on a Sunday, the time so worked shall not entitle the employee to a Sunday rate provided that time worked by an employee on shifts commencing between 11 p.m. and midnight on a Saturday and extending into Sunday shall be regarded as time worked on such Sunday.

EMERGENCY PROVISIONS.

8. (a) Notwithstanding anything elsewhere contained in this Determination the following provisions shall apply in the case of an employer who is subjected to restriction or rationing in the use of electric energy and/or coal gas and/or the emergency disconnection thereof in accordance with orders or regulations approved by the appropriate lawful Authority.

(i) If by reason of such restriction or rationing or emergency disconnection he is unable usefully to employ an employee for the whole or part of any day or shift, he may deduct from the wages of that employee payment for any part of a day or shift such employee cannot be usefully employed; provided that—

- (1) if an employer requires an employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours' work;
- (2) where an employee commences work he shall be entitled to be paid for four hours' work;
- (3) this sub-clause shall not apply to apprentices.

- (ii) He may require any day worker to perform his ordinary hours of work (or any such ordinary hours of work) at any time on any day other than a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work:—
- (1) for work performed on Mondays to Fridays from 7 a.m. to 5.30 p.m. and on Saturdays from 7 a.m. to noon—ordinary time;
 - (2) for work performed between noon and midnight on Saturday—ordinary time plus 50 per cent.;
 - (3) for work performed at all other times (other than on a Sunday)—ordinary rates plus 50 per cent.
- (iii) He may require any shift worker to perform his hours of work at any time (other than on a Sunday) on the basis of 40 hours per week. The following rates of pay shall apply for such work—
- (1) for day work or day shift work—ordinary time;
 - (2) for work performed between noon and midnight on Saturdays—ordinary rates plus 50 per cent.;
 - (3) for afternoon and night shifts—ordinary rates plus 10 per cent.;
 - (4) nothing contained in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers working on afternoon and night shifts only at the date of such interference as aforesaid and who continue to work on such shifts.
- (iv) He may alter the time at which meal breaks are usually taken and/or the duration of them, in order to avoid or mitigate the effects of such interference, without being liable to pay penalty rates for work done during the meal breaks; provided that the commencing time of any meal break is not made more than one hour earlier or later than usual and that a meal break of at least twenty minutes is allowed; and provided further that the employer shall, whenever it is practicable, consult the representative of the Australian Workers Union before acting under this paragraph.

PUBLIC HOLIDAYS.

9. (a) Double time shall be the special rate payable for all work done on Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, and Queen's Birthday; 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.

Where shifts commence between 11 p.m. and midnight on a holiday, the time so worked shall not entitle the employee to the holiday rate provided that time worked by an employee on shifts commencing between 11 p.m. and midnight on a day preceding a holiday and extending into the holiday shall be regarded as time worked on such holiday.

(b) An employee who is not required to work on any holiday prescribed in sub-clause (a) hereof shall be entitled to be absent from work on such day without deduction of pay.

(c) In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday or public half-holiday is proclaimed by Order in Council throughout any municipality or part thereof, or within any defined area, such public holiday or public half-holiday shall, so far as such municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of holidays herein prescribed.

Provided that an employee who fails to attend for work on the working days before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

CRIB TIME.

10. When shifts are worked time allowed as crib time shall be deemed to be time worked.

SICK LEAVE.

11. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) During the first year—3½ hours' ordinary pay for each complete month of service.
- (ii) During any subsequent year of service—40 hours ordinary pay.

Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(b) 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. For the purposes of this sub-clause service prior to the 1st March, 1949, shall be disregarded.

Provided further that no employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

ANNUAL HOLIDAY.

12. (a) The annual holiday for an employee on weekly hiring, or a casual employee, 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 above, seven day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed for each twelve monthly qualifying period one week's leave including non-working days.

(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 week's annual leave prescribed by the said Act increased by 3½ hours 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.

PROTECTIVE CLOTHING.

13. Each employee shall receive an allowance of 2s. 6d. per week for the provision of protective clothing.

LOCKERS.

14. Where requested the employer shall, provide a suitable locker for the use of each employee.

MEAL ALLOWANCE.

15. An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 2s. 6d. for each meal necessary.

DINING ROOM.

16. Where requested the employer shall provide for the use of employees a dining room properly equipped with tables and suitable seating accommodation.

SANITARY CONVENIENCES.

17. The employer shall provide proper and sufficient sanitary conveniences.

WASHING FACILITIES.

18. Where requested the employer shall provide a proper and sufficient number of hot and cold shower baths, and wash basins for the use of employees.

CHANGE ROOM.

19. The employer shall provide, reasonably adjacent to showers and wash basins, a sufficiently roomy enclosed change room to enable employees to change their clothes in privacy.

First-Aid Outfit.

20. In each workshop, and at other 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.

Such outfit shall be kept in some accessible place upon the premises and 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, carbolyzed	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	

BASIC WAGE.

21. (a) The wages rates, for adult males set out in clause 2 are based upon the following basic wage.
In addition to the total basic wage provided in this clause the adult rates set out in clause 2 contain margins, and in addition war loadings of 4s.

(b) The wages of apprentices or improvers are the appropriate percentages as set out in clause 2, calculated to the nearest 6d., half or less than half of 6d. being disregarded.

Apprentices and improvers receive a *pro rata* war loading.

Place.	Basic Wage	Index Number Set Assigned.
Victoria	£ s. d. 11 15 0	Melbourne

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

J. W. RYAN, Secretary.

Melbourne, 28th September, 1953.