



# VICTORIA GOVERNMENT GAZETTE.

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[1953

Factories and Shops Acts.

## DETERMINATION OF THE SALTWORKERS 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 appointed to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the Determination of any Wages Board heretofore appointed) employed in the process, trade, business or occupation of—

(a) producing, gathering, extracting, manufacturing, treating or refining salt;

(b) extracting products (other than salt) from sea water or from natural brines and bitterns and treating such products”—has made the following Determination, namely:—

1. That on the 10th October, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. (a)

WAGES.

(a) Apprentices, Improvers or Juvenile Workers (Day Shifts).			Other Employees (Day Shifts).	
Males.	Percentage of Basic Wage.	Amount Per Week of 40 Hours.	MALES.	
		<i>s. d.</i>		Per Week of 40 Hours.
14 years of age .. ..	29	68 0	Employed at any work, gathering, bagging, loading, or stacking salt in connexion with: (A) Salt lakes; (B) Salt production works:— Foreman—i.e., one who has the control of more than six men .. .. .. Leading Hand—i.e., one who has (even though he may be under the direction of a Foreman) the control of and is responsible for the work done by not less than three men .. .. .. Truckman or brakeman— (a) Power trucks .. .. .. (b) Horse trucks or wagons .. .. .. Operator of mechanical salt excavator .. .. .. Operator of mechanical harvesting machine and/or caterpillar mounted conveyors working in conjunction therewith .. .. .. Plate layer in charge of the laying down and/or repairing of permanent line .. .. .. Employee in charge erecting and/or repairing rough timber work on out works, excluding construction of any building .. .. .. Assistant erecting and/or repairing rough timber work on out works, excluding construction of any building .. .. .. Salt loaders from stacks .. .. .. Employees in charge of movement of sea water and engaged in preparation of brine .. .. .. Thatcher of salt stacks .. .. .. Stack builder, where mechanical stackers are used .. .. .. All others .. .. ..	
15 years of age .. ..	36	84 6		<i>s. d.</i>
16 years of age .. ..	45	105 6		273 6
17 years of age .. ..	58	136 6		
18 years of age .. ..	73	171 6		206 0
19 years of age .. ..	89	209 0		265 0
20 years of age .. ..	100 plus 5s.	240 0		260 0
		<i>s. d.</i>	278 0	
			267 6	
			266 0	
			271 0	
			266 0	
			263 0	
			263 0	
			263 0	
			263 0	
			260 0	

Apprentices or Improvers.

PROPORTION (in any place).

One apprentice to every three or fraction of three workers receiving not less than the minimum wage.

One improver to each worker receiving not less than the minimum wage.

Juvenile Workers.

Definition.—A juvenile worker is a person under 21 years of age employed at cleaning, branding, moving, weighing sewing-up bags, or pressing salt.

WAGES—continued.

(a) Apprentices, Improvers or Juvenile Workers (Day Shifts).	Other Employees (Day Shifts).	
	MALES.	
		Per Week of 40 Hours.
	<i>Shed and Factory Hands.</i>	
	Persons employed treating, crushing, or refining salt :—	s. d.
	Shed hand in charge of seven or more men .. .. .	273 0
	Shed hand in charge of six or less men .. .. .	266 0
	Shed hand who is required to stack .. .. .	260 0
	Shift Foreman—	
	In charge of a wet and dry plant .. .. .	281 0
	In charge of a dry plant .. .. .	273 0
	In charge of a wet plant .. .. .	273 0
	Millwrights .. .. .	273 0
	Hydro Operator .. .. .	263 6
	Tutosal Operator, i.e., an employee responsible for mixing .. .. .	258 6
	All Others .. .. .	257 0
	<i>By-products Section.</i>	
	Employee in charge of one or more employees operating by-products plant, i.e., extracting products (other than salt) from sea water or from natural brines and bitters and treating such products .. .. .	267 6
	Employee operating by-products plant, i.e., extracting products (other than salt) from sea water or from natural brines and bitters and treating such products .. .. .	266 0
	All others .. .. .	260 0
	FEMALES.	
	All Adults .. .. .	176 0

†(b) Employees on shifts commencing in the afternoon or at night shall receive the wages provided in sub-clause (a) with the addition of 7½ per cent. for afternoon shift workers and 10 per cent. for night shift workers.

SPECIAL RATES.

3. In addition to the wages prescribed in clause 2 hereof, the following special rates and allowances shall be paid to employees, including apprentices, improvers, and juvenile workers:—

Confined Spaces.

(a) Working in confined space 3d. per hour extra.

Hot Places.

(b) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. Where work continues for more than two hours in temperature exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.

Employee within Call.

(c) When work is being performed under sub-clauses (a) and (b) hereof, another person shall always be within call.

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.

TIMES OF BEGINNING AND ENDING WORK.

4. (a) When day shift only is worked—

	Where a 5½ day week is worked.		Where a 5 day week is worked.	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
Monday to Friday (inclusive) .. .. .	7.30 a.m.	6 p.m.	7.30 a.m.	6 p.m.
Saturday .. .. .	7.30 a.m.	12 noon.		

The above-mentioned times of beginning and ending work may be varied on any job by mutual consent of the employer and a majority of the employees.

(b) Shift workers—

(i) *Where Two Shifts are Worked.*—An employer may require two shifts a day to be worked provided that the time of beginning the first shift shall be not earlier than 7 a.m. and that the time of ending the second shift shall be not later than 2 a.m. on the following morning, and also provided that the ordinary spread of hours of each shift shall not exceed eight hours forty-eight minutes.

(ii) *Where three shifts are worked—*

	Time of Beginning.	Time of Ending.
First shift .. .. .	8 a.m.	4 p.m.
Second shift .. .. .	4 p.m.	12 midnight
Third shift .. .. .	12 midnight	8 a.m.

(iii) Provided that the times of beginning and ending shifts stated in this sub-clause may be varied by agreement between an employer and his employees.

HOURS FOR A WEEK'S WORK.

5. The hours for an ordinary week's work for all employees shall be 40 hours per week provided that when employees are required for essential cleaning purposes, or for maintenance of plant, these hours may be varied in such manner that not more than 80 hours are worked in any two consecutive weeks, with a maximum of 44 hours in any one week and provided further that the hours of shift workers may be fixed by agreement between an employer and an employee so that an average of 40 hours of ordinary working time may be worked in three consecutive weeks subject to 44 hours of ordinary working time being the maximum in any one week.

OVERTIME.

6. Except as provided in sub-clause (c) overtime shall be payable as follows:—

(a) Any employee who works in excess of the maximum number of hours fixed for a week's work shall be paid for such work at the rate of time and a half for the first four hours, and thereafter at the rate of double time.

- (b) Any employee who works outside the hours fixed in clause 4 shall be paid for such work at the rate of time and a half for the first four hours and thereafter at the rate of double time.
- (c) The overtime rate for shift workers shall not apply to arrangements between employees themselves or in cases due to rotation of shifts or when the relief 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 the employee that he will be absent from work, and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.
- (d) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

EMPLOYEE REPORTING FOR WORK AND NOT ALLOWED TO START.

7. An employee who reports for work and is not allowed to start shall be paid for two hours' work. Provided that this clause shall not operate if a stoppage of work has taken place through some cause over which the employer has no control.

EMPLOYEE WORKING IN WET PLACES.

8. (a) Any employee who is required to work in water, brine slurry or mud exceeding two inches in depth shall be provided with gum boots or shall receive an allowance of 2s. per day for each day he is so required to work.
- (b) Unless oilskins and gum boots are provided for men required to work in rain double time shall be paid for work done in such rain. Provided that this sub-clause shall not apply to salt loaders from stacks.

HOLIDAYS.

9. (a) Weekly employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, Queen'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, this provision shall apply only to the day so substituted.

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.

(b) When an employee fails without reasonable cause, proof whereof shall be upon him, to attend for work on the working day immediately following or immediately prior to any of the holidays prescribed in sub-clause (a) hereof, he shall not be entitled to be paid for such holiday.

SPECIAL RATE FOR WORK DONE ON SUNDAYS AND HOLIDAYS.

10. Double time shall be payable for all work done on Sundays or on any of the days mentioned in clause 9 (a) except in the case of employees effecting repairs to or renewals to plant or machinery—which it is necessary to effect on Sundays or holidays to enable work to be safely resumed on Monday or the earliest working day—in which case payment shall be made at the rate of time and a half. This exception does not apply to the work of installing new machinery.

TERMS OF ENGAGEMENT.

11. (i) An employer shall have the option of engaging any employee either by the week or casually.
- (ii) (a) If the engagement is by the week it shall be for a continuous period of at least eight weeks, and thereafter shall be terminated by a week's notice on either side, given at any time during the week, or by payment or forfeiture of a week's wages in lieu thereof, as the case may be. 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 in respect of wages for the ten current week's employment, only to payment proportionate to the aggregate of time worked by him, and of such other previous time (if any) in that week as to which under this Determination no deduction from his week's wages is allowable.
- (b) An engagement shall be deemed to be and to continue casual unless the employer, at the commencement of the engagement or before any change by him of a casual engagement of the employee to one by the week, expressly notifies the employee that he is to be engaged by the week.
- (c) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he performs, plus three pence per hour.
- (d) The employer shall have the right to deduct payment for any day upon which the employee cannot be employed usefully because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

ANNUAL HOLIDAY.

12. 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.

13. (a) A weekly employee who is absent from work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence with pay, subject to the following conditions and limitations.
- (i) He shall not be entitled to paid leave of absence unless he has been in the service of the employer concerned as a weekly employee for at least six months immediately prior to such absence;
- (ii) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation;
- (iii) He shall, within 24 hours of the commencement of such absence inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the illness or injury and the estimated duration of the absence;
- (iv) He shall produce to the employer a medical certificate or other reasonable evidence justifying the absence;
- (v) He shall not be entitled in any year of service to paid leave of absence in excess of 40 hours of working time.

For the purposes of this sub-clause a year of service shall be deemed to commence from the date of engagement.

(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 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. For the purposes of this sub-clause service prior to the 4th October, 1946, shall be disregarded.

MIXED DUTIES.

14. An employee who is required to do work for which a higher rate is fixed than that provided for his ordinary duties shall if such work exceeds a total of two hours on any day be entitled to be paid for all work done on such day at the higher rate.

TOOLS.

15. The employer shall provide an employee with all tools necessary for the work to be done.

PAYMENT OF WAGES.

16. Wages shall be paid weekly during an employee's ordinary working hours, and such payment shall be made on Tuesday, except at Laverton when it shall be not later than Wednesday.

**CRIB TIME.**

17. An employee on shift work shall be allowed a crib time during each shift. For the purposes of administering this clause crib time shall be deemed to mean time taken for a meal at suitable opportunities in a shift so as not to interfere with an employee's duties.

**MEAL ALLOWANCE.**

18. An employee required to work overtime for more than two hours without being notified the day before that he will be so required shall either be supplied with a meal by the employer or paid 2s. Provided that where the employee was notified the previous day of the intention to work overtime and such overtime was not worked, he shall be entitled to the meal allowance herein provided.

**RIGHT OF ENTRY OF UNION OFFICIAL.**

19. Provided he reports to the works manager before so doing a duly accredited representative of the Australian Workers Union not more often than once a fortnight shall have the right to enter during the midday meal hour the portion of any employer's establishment in which any of the classes of labour covered by this Determination are employed for the purpose of interviewing employees on legitimate union business.

If any representative is unduly interfering or is creating disaffection amongst the employees or is offensive in his methods the employer may refuse the right of entry.

**PROTECTIVE CLOTHING.**

20. Suitable protective clothing shall be provided for employees when working on boiling vats.

**SHELTERS.**

21. Suitable shelters shall be provided for all employees within reasonable distances from places of work.

**EMPLOYEE RECALLED TO WORK.**

22. Any employee who having ceased work for the day is recalled to work shall be paid for a minimum of two hours' work at the rate of time and a half.

**FIRST AID KIT.**

23. A first-aid kit shall be provided and kept in good order on all works and shall contain 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 .. .. .	

**PROVISION OF DRINKING FACILITIES.**

24. Water bags and good drinking water shall be provided on all jobs.

**TRAVELLING ALLOWANCE.**

25. When an employee is required by the employer to work away from his usual place of employment and cannot return nightly to his usual place of residence he shall be provided with free board and lodging or paid an additional amount at the rate of 45s. per week and all fares necessarily incurred in travelling to the temporary place of employment and on returning to his usual place of residence at the termination of the work.

Time occupied in travelling to and from the temporary place of work shall be paid for at ordinary rates of pay.

**PIECEWORK.**

26. The Board determines under the provisions of Section 150 of the *Factories and Shops Act 1928* that any employer may fix and pay piecework prices to any person employed at any work for which the Board has fixed a minimum wage, provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages rates that are fixed by the Board for such work.

**BASIC WAGE.**

27. (a) The wages rates for adult males set out in clause 2 are based upon the following basic wage.

Place.	Basic Wage.	Index Number. Set Assigned.
	£ s. d.	
Throughout the State .. .. .	11 15 0	Melbourne

(b) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 25th September, 1953.