

[1749]



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 144]

TUESDAY, MARCH 30.

[1954

Factories and Shops Acts.

DETERMINATION OF THE PLUMBERS BOARD.

NOTES.—(1) This Determination applies to the whole of the State of Victoria.

(2) Plumbing and Gasfitting were proclaimed as Apprenticeship Trades under the *Apprenticeship Act 1928* for various parts of the State as follows:—

(a) Metropolitan District, 10th October, 1928;

(b) City of Ballarat, and the Borough of Sebastopol, and the Cities of Geelong, Geelong West, and of Newtown and Chilwell, and the Moorpanyal riding of the Shire of Corio, 23rd March, 1938;

(c) The remainder of the State, 26th July, 1949.

Full particulars of the *Apprenticeship Regulations* for these trades may be obtained on application to the Secretary, Apprenticeship Commission, 103 Russell-street, Melbourne, C.2.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, since the 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 wheresoever employed in any plumbing work (including electrical or gasfitting) or employed in fixing any material used instead of metal for pipes, guttering, or roof covering (other than slates or tiles) in connexion with the erection or repair of buildings"—has made the following Determination, namely—

That as from the beginning of the first pay period to commence on or after the 12th January, 1954, the last previous Determination of this Board, as amended by a Determination of the Industrial Appeals Court, shall be revoked and replaced by this Determination.

PART 1.

This Part applies to all persons covered by the Determination, other than those employed by Gas Companies.

1. WAGES FOR WEEK OF 40 HOURS.

(a) Apprentices (other than those covered by the Apprenticeship Commission).

—	Percentage of Basic Wage.	Adjustable Wage.	Loading.	Total Wage.
		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
1st year ..	29	68 6	2 8	71 2
2nd year ..	38	90 0	5 4	95 4
3rd year ..	53	125 6	8 0	133 6
4th year ..	76	180 0	10 8	190 8
5th year ..	98	232 6	13 4	245 10
6th year ..	100 plus 27s.	264 0	16 0	280 0

and thereafter the minimum wage.

PROPORTION (within any factory or place).

One apprentice to every two or fraction of two workers receiving not less than £15 17s. per week.

An indenture of apprenticeship prescribed by the Board, as amended by the Court of Industrial Appeals, was approved on 7th September, 1923.

Improvers.*

	<i>s. d.</i>
1st year	81 9
2nd year	105 3
3rd year	140 10
4th year	208 9
5th year	270 5

and thereafter the minimum wage.

PROPORTION (within any factory or place).

One improver to four }
Two improvers to fifteen } workers receiving not
Three improvers to thirty } less than £15 17s. per
and thereafter one additional im- } week.
prover to every seven additional }

* The employment of any new improver at the trade has been prohibited as from the respective dates of the proclamations made under the *Apprenticeship Act 1928* for the various parts of the State, as set out in the preamble of this Determination.

(b)

OTHER EMPLOYEES.

(i) Applying to the employment of persons on the construction renovation repair alteration or demolition of buildings performed on the site thereof.

(ii) Applying to other work, including employment by an employer in any industry where the work performed by the employee is subsidiary or auxiliary to the chief and principal purpose and business of such industry; or employment in workshops.

Person employed—	Wages Per Week. £ s. d.	Wages Per Hour. s. d.	Person employed—	Wages Per Week. £ s. d.	Wages Per Hour. s. d.
(a) Where the artificial temperature is—			(a) Where the artificial temperature is—		
Over 130° F.	20 3 3	10 1	Over 130° F.	19 16 7	9 11
115° F., but not exceeding 130° F.	19 6 5	9 8	115° F., but not exceeding 130° F.	18 19 9	9 5½
50° F. or lower	20 3 3	10 1	50° F. or lower	19 16 7	9 11
(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower	18 4 9	9 1½	(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower	17 18 1	8 11½
(c) Lead burning or at lead work connected therewith	17 7 11	8 8½	(c) Lead burning or at lead work connected therewith	17 1 3	8 6½
(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power)	16 3 8	8 1	(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power)	15 17 0	7 11
(e) In fixing any material used instead of metal for pipes, guttering, or roof covering	16 3 8	8 1	(e) In fixing any material used instead of metal for pipes, guttering, or roof covering	15 17 0	7 11
(f) At any other plumbing or gas-fitting (but not including the fixing of gas mantles, or gas main or service laying)	16 3 8	8 1	(f) At any other plumbing or gas-fitting (but not including the fixing of gas mantles, or gas main or service laying)	15 17 0	7 11

NOTE.—See clause 9 of this Part *re* casual rate, and clause 5 *re* ship works.

Notwithstanding anything contained in clause 1 (b) (ii) hereof any employee, within six months of his first employment in any place whose employment is terminated by the employer for any cause other than misconduct or incompetence, shall on such termination be entitled to be paid for such work performed by him the appropriate rate prescribed in clause 1 (b) (i) hereof.

NOTE.—The wages prescribed above for "other employees" include a loading in lieu of Public Holidays (ten days) and Sick Leave (40 hours of working time).

ALLOWANCES.

2. In addition to the wages rates set out above an allowance at the rate of 5s. per week shall be paid to journeymen (other than on a ship) to compensate for the following classes of work whether or not such work is performed in any week:—

- (i) work requiring a swing scaffold, swing seat, or rope, or on a ladder exceeding 25 feet in height;
- (ii) clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing and putting same in proper order;
- (iii) work in any confined space;
- (iv) work in wet places; or
- (v) dirty or offensive work.

ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

2a. (a) Subject to sub-clauses (b) and (c) hereof the following payments shall be made in lieu of fares and travelling time within the radii named using G.P.O., Melbourne (cr. Bourke and Elizabeth streets), or the principal post offices at Ballarat, Bendigo, and Geelong as centres:—

	s. d.
Up to and including 12 miles	3 3 per day
Over 12 miles and including 20 miles	3 10 per day
Over 20 miles and including 30 miles	4 6 per day

(b) In the case of the employment of persons on the construction renovation repair alteration or demolition of buildings performed on the site thereof these allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 2s. 5d. per day travelling allowance shall be paid.

(c) In all cases other than provided for in sub-clause (b) hereof if the employer provides or offers to provide transport free of charge, 2s. 5d. per day travelling allowance shall be paid. In the case of an employee who is normally required to report for and finish work at his employer's workshop, and is transported to and from any job by his employer, no allowance shall be paid.

(d) Where fares are necessarily incurred on distant jobs, as defined in clause 3 (a) of this Part, or on work performed outside the radii named in sub-clause (a) hereof the provisions of that sub-clause shall apply except that the local Post Office shall be the centre.

(e) Sub-clauses (a), (c), and (d) of this clause shall not operate when an employee is employed on maintenance work at his recognized centre.

ALLOWANCES IN RESPECT OF DISTANT JOBS.

3. (a) When distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence, reasonable and suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause; the allowance to be made shall be—

	s. d.
For less than a full week	12 9 per day
For a full working week at the rate of	52 6 per week

Provided that the foregoing allowances shall be increased if the employee satisfies the employer that he reasonably incurred a greater outlay than that prescribed.

(b) In lieu of the payments prescribed in clause 2A (a) of this Part an employee to whom sub-clause (a) applies shall be paid travelling time (not exceeding ordinary working hours per day) at ordinary rates of pay, and, where incurred, second-class return fare, and 5s., or any greater amount incurred, to cover expense of reaching his home railway station and transport of tools if any cost necessary: Provided that the return fare shall not be payable if the employee is dismissed for misconduct or is held incompetent within one week of starting work or leaves within one month of engagement. Travelling time shall be calculated as from Spencer-street and Flinders-street Railway Stations or the home Central Railway Station (if residing in the country) to destination by rail or usual travelling facilities.

(c) If an employee elects to return to his home at the week-end after three months of continuous service and thereafter at three-monthly periods, he shall be paid a second-class return fare (Victorian Railways only) on the pay day which immediately follows the date on which he returns to the job.

If the work upon which the employee is engaged will terminate in the ordinary course within a further 28 days after the expiration of three months this sub-clause shall not apply.

(d) Any person who has travelled from a "centre" to a place of work, and is required, in the course of his employment, to travel further on the same day, shall be paid all fares necessarily expended in such further travelling.

DEFINITION.

4. "Centre" shall mean the employer's usual place of business.

SHIP WORK.

5. (i) All work done on a ship of any class—

(a) whilst it is under way; or

(b) in wet places or confined spaces; or

(c) in a ship which has done one trip or more, in oil fuel tanks, in bilges under engine-room or stokehold or on soil pipes—shall be paid for at the rate of 8d. per hour in addition to the ordinary wage.

(ii) For the purposes of this paragraph—

"Wet Place" means one in which the clothing of the workman necessarily is wetted to an uncomfortable degree, or one in which water accumulates underfoot to a depth exceeding two inches.

"Confined Space" means one of which the dimensions are such that the workman must work in a stooped or cramped position, or without adequate ventilation, or where confinement within a limited space is productive of unusual discomfort to him.

(iii) Should the employer and the workman be unable to agree whether or not any work done by the latter is such as entitles him to the additional wage provided by this paragraph, the question is to be submitted to a Referee, chosen by the parties, whose decision will be binding on both of them. In the event of the parties being unable to agree on a Referee, application is to be made to the Secretary of the Department of Labour of the State of Victoria to appoint an Inspector to determine the matter in dispute, and the decision of such Inspector will be binding on both of them.

ORDINARY WEEK'S WORK.

6. The ordinary hours for a week's work shall be 40 which shall be worked in five days (Monday to Friday inclusive) of 8 hours each.

A meal break of not less than 42 minutes shall be allowed each day between noon and 2 p.m.

TIMES OF BEGINNING AND ENDING WORK.

7. The ordinary times of beginning and ending work shall be between the hours of 7.30 a.m. and 5.30 p.m.

OVERTIME.

8. Overtime shall be paid for as follows—

(a) Outside the hours fixed in clause 7 of this Part—

(i) Before the time of beginning work Double time.

(ii) After the time of ending work Time and a half for the first hour and double time thereafter.

(b) Within the hours fixed in clause 7 of this Part in excess of 40 hours in any week—

First hour Time and a half.

Thereafter Double time.

NOTE.—Work done on a Saturday shall be deemed to be outside the times of beginning and ending work, and be paid for as prescribed in sub-clause (a) (ii) hereof.

Provided that all work performed on a Saturday, Sunday, or Public Holiday, and for which prior notice has not been given, shall be deemed to be a recall to work in accordance with the provisions of sub-clause (d) of this clause.

(c) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time, and commenced prior to midnight shall be entitled to be absent until he has eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

If, on the instructions of his employer, any employee resumes work without having had such eight hours off duty, he shall be paid at double rates until he is relieved from duty to take such rest period and he shall then be entitled to be absent until he has eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(d) An employee recalled to work overtime after leaving his employer's business premises shall be paid at the appropriate rate for such work with a minimum of four and a half hours' pay at the ordinary rate for each time he is so recalled.

(e) An employee shall not be compelled to work for more than six hours without a break for a meal.

(f) 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 5s. and 5s. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

(g) An employee working overtime after the evening meal break shall be allowed a crib-time of twenty minutes after each four hours of overtime work, if the employee continues work after such crib-time. Such crib-time shall be paid for at the ordinary rate.

CASUAL LABOUR.

9. Casual employees (i.e. persons employed during the week for not more than one-half maximum number of hours fixed in this Determination as a week's work) shall be paid at the ordinary rate hourly with an addition of 10 per centum.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

10. Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (by persons not subject to *Anzac Day Act 1928*), Queen's Birthday, Melbourne Cup Day, Christmas Day, Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-mentioned holidays, the special rates shall only be payable for the day so substituted.

10A. 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 included as a holiday in this Determination. An employee not required to work during the period of such public holiday or public half-holiday as so proclaimed provided same is an ordinary working day, shall receive payment at ordinary rates of pay for such period. Provided further that if he fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse he shall not be entitled to be paid for such public holiday or public half-holiday. Double time shall be paid for all work done during the period of such public holiday or public half-holiday as so proclaimed.

EMPLOYEE ATTENDING FOR DUTY.

11. When an employee in accordance with directions given by an employer or his responsible representative, attends for duty at the place so directed, but his services are not required, such employee shall be paid 5s. and an amount equal to the fares to and from such place: Provided that where on any day work is commenced and is stopped before noon owing to wet or inclement weather, the employee shall be paid up to noon and then released from further attendance on that day. Where owing to wet or inclement weather work is stopped after noon, the employee shall be paid up to the time at which work usually ends.

TOOLS AND APPLIANCES.

12. That if any employee is required to provide any or all of the following tools or appliances:—

Caulking-irons, drilling frame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrills, dummies, metal pots, pipe cutters, plumbing irons, ratchets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vices—

1s. per hour in addition to the ordinary rates fixed by this Part shall be paid by the employer.

DAMAGE TO CLOTHING AND TOOLS.

13. Compensation to the extent of the damage sustained shall be made where, in the course of the work, clothing or tools are damaged or destroyed by fire or through the use of corrosive substances. Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

DAY FOR PAYMENT OF WAGES.

14. Wages, allowances, and other monies due, shall be paid not later than the time of ceasing work on Thursday of each working week. On termination of employment by the employer, all wages, allowances, and other monies shall be paid at the time of dismissal. The employee shall not be deemed to have ceased employment until he has been paid.

REST PERIOD.

15. There shall be a rest period of ten minutes from the time of ceasing to the time of the resumption of work, between the hours of 9 a.m. and 11 a.m., without deduction of pay.

SUPPLY OF HOT WATER.

16. The employer shall provide facilities to enable the employee to obtain an adequate supply of hot water at meal times and during the morning rest period.

ANNUAL HOLIDAY.

17. 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.

ADDITIONAL ANNUAL LEAVE AND SICK LEAVE.

18. When it is a constant condition of employment that an employee is continuously required to work, or on call for work, on week ends (i.e., Saturdays and Sundays) such employee shall be entitled to:—

(a) one week's additional annual leave with pay, and

(b) payment for a maximum of forty hours for sickness (duly certified) in any one year, provided that in the event of an employee not claiming payment in whole or in part in any year, the number of days not claimed shall be held to his credit the following year or years, subject to a maximum payment of 120 hours for sickness.

For the purposes of sub-clause (b) hereof service prior to the 1st July, 1945, shall be disregarded.

TIME OFF FOLLOWING ACCIDENT.

19. An employee suffering injury through an accident arising out of and in the course of his employment (whether or not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for time (not exceeding four hours) so occupied on the day of the accident and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

TERMINATION OF EMPLOYMENT.

20. One hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof. Such hour shall be allowed the employee to gather, clean, pack, and transport his tools.

Part II.

This Part applies to all persons employed by Gas Companies.

1. WAGES.	
Nature of Employment.	Wages per Week of 40 Hours.
Persons employed—	£ s. d.
(a) Leadburning or at lead work connected therewith	15 19 0
(b) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit; or for the conveyance of high pressure steam to machinery for power)	14 14 9
(c) In fixing any material used instead of metal for pipes, guttering, or roof covering	14 14 9
(d) And any other plumbing or gas-fitting (but not including the fixing of gas mantles, or gas main or service laying)	14 14 9

Provided—

- (i) That employees in receipt of an industry allowance of 3s. per week and/or a payment known as "gratuity" shall be paid 6s. per week industry allowance and where such gratuity has been paid such gratuity payments shall cease as from the 31st day of December, 1946.
- (ii) That existing conditions as to the supply of sufficient and efficient tools in working order shall continue that where tools are not supplied employees shall be allowed the weekly sum of 4s. as a tool allowance.

WAR LOADING.

NOTE.—The wages prescribed in clause 1 hereof include as a war loading the sum of 6s. per week.

2. APPRENTICES AND IMPROVERS.

(a) APPRENTICES.

(i) WAGES.

That the rates for apprentices shall be those rates prescribed from time to time by the Apprenticeship Commission of Victoria.

(ii) PROPORTION (WITHIN ANY FACTORY OR PLACE).

One apprentice to every two or fraction of two workers receiving not less than £14 14s. 9d. per week of 40 hours.

(b) IMPROVERS.*

(i) WAGES.						(ii) PROPORTION (within any factory or place.)	
Per Week of 40 Hours.							
						s.	d.
1st year	..	..	..	..	..	81	9
2nd year	..	..	..	..	..	105	3
3rd year	..	..	..	..	..	140	10
4th year	..	..	..	..	..	208	9
5th year	..	..	..	..	..	270	5
and thereafter the minimum wage.							
						One improver to four	} workers receiving not less than £14 14s. 9d. per week
						Two improvers to fifteen	
						Three improvers to thirty	
						and thereafter one additional improver to every	
						seven additional	

* The employment of any new improver at the trade has been prohibited as from the respective dates of the proclamations made under the *Apprenticeship Act 1928* for the various parts of the State, as set out in the preamble of this Determination.

The conditions prescribed by the Determination of the Gas Works Board (or any variation of the aforesaid Determination) shall apply to all employees covered by this Part.

PART III.

This Part applies to all persons employed under this Determination.

PERIODICAL ADJUSTMENT OF WAGES.

1. The wages rates set out in clause 1 of Part I., and clause 1 of Part II., 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 in clause 2 of this Part. Provided that the method of adjustment as regards clause 1 of Part I. shall be in accordance with the provisions of clause 3 of this Part.

BASIC WAGE.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

2. (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, 1954, the amount of the basic wage shall be as prescribed in clause 1 of this Part.

(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 a decimal, 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.

3. (a) The amount of the weekly wages prescribed for employees classified under classifications (i) (f) and (ii) (f) in clause 1 (b) of Part 1. have been ascertained by the following method :—

	£	s.	d.
Basic wage	11	17	0
Margin for skill	2	6	0
War loading	0	6	0
Tool allowance	0	4	0
Disabilities loading (including registration compensation)	0	5	9
Total	14	18	9

The amount payable for a year would be £14 18s. 9d. \times 52 = £776 15s. Allowing two weeks on account of time lost through public holidays, one week for absence through ill health, and further in respect of classification (i) (f) only one week for following the job: the weekly wage payable in respect of classification (i) (f) was ascertained by dividing the amount payable for a year by 48, and in respect of classification (ii) (f) by dividing such amount by 49.

Future adjustments of the wages mentioned are to be made by a similar method.

Remaining classifications in the said clauses are to retain their existing margins over classifications (i) (f) and (ii) (f) after adjustment.

(b) The hourly rates shall in respect of each classification be 1/40th of the weekly rate.

4. The rates for Apprentices whosoever appearing shall be amended from time to time in order to conform with rates payable to Apprentices for the trade under the jurisdiction of the Apprenticeship Commission.

5. The rates of remuneration for Improvers shall be amended to preserve the differences between the rates payable for Apprentices, and those payable for Improvers as are shown in the Determination gazetted on March 14th, 1947, and operative as from the beginning of the first pay period to commence on or after the first December, 1946.

The resultant rates for Improvers from time to time shall therefore be—

1st year	The appropriate rate as amended for Apprentices plus	10s. 7d. per week.
2nd year	The appropriate rate as amended for Apprentices plus	9s. 11d. per week.
3rd year	The appropriate rate as amended for Apprentices plus	7s. 4d. per week.
4th year	The appropriate rate as amended for Apprentices plus	18s. 1d. per week.
5th year	The appropriate rate as amended for Apprentices plus	24s. 7d. per week.

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

J. W. RYAN, Secretary.

Melbourne, 18th December 1953.