

1874 VICTORIA ACTS ON FACTORIES

AUSTRALIA'S first Factory Act was passed in Victoria early in 1874. It was a decidedly tame affair by today's standards, but close to revolutionary at a time when factory workers, some only eight years old, were treated worse than slaves.

The economic prosperity and population influx in the wake of the gold rushes created an unprecedented demand in Australia for manufactured goods. Factories mushroomed in Sydney, Melbourne, Brisbane and Adelaide, as well as in gold mining towns such as Bendigo and Ballarat where already prosperous industrialists were able to reap even greater fortunes.

Very little of this prosperity, however, filtered down to the working-class men, women, and children who slaved, often for up to 18 hours a day, in dark, badly ventilated and unhygienic factories and workrooms for wages barely sufficient to keep them alive.

The clothing industry, in particular, was notorious for 'sweating' its many,

mainly female, employees. Yet for years authorities did absolutely nothing to protect them from exploitation.

It was only in April 1873, after the Ballarat *Courier* had published a series of letters exposing the conditions of the city's 'sewing girls', that the local Member of the Victorian Legislative Assembly, Major W.C. Smith, agreed to demands from his constituents that he introduce 'a Bill in the next session to limit the hours of labour of all sewing women employed in workrooms throughout the country'.

Major Smith outlined the Employment of Females Bill during the second reading debate on June 4, 1873. In many factories, he said, girls two days a week were kept 'at work from 9 o'clock to the usual hour of leaving off, 8 o'clock, but on four days of the week, from nine in the morning to midnight, 1 o'clock, and sometimes as late as 3 o'clock in the morning...'

In those pre-Labor Party days, for a colonial Parliament even to debate the conditions of workers was amazing. So it is not surprising that discussion only touched the surface, leaving the worst abuses unmentioned. Yet conditions in factories throughout Australia were often horrific.

At one 'modern' ropeworks in Melbourne, for instance, all employees worked 60 hours a week — and that included children as young as eight who earned a measly 14 pence an hour.

Women were paid only 4 pence an hour. These workers often stood in 5 cm and more of water that poured in through the leaking roof and did not drain away because of swampy ground surrounding the factory. The factory was

not heated during winter and workers had to jump about just to keep warm.

Newspapers trumpeted lofty ideals in editorials, but their employees often worked under atrocious conditions. Compositors worked 10-hour shifts with only one 15 minute meal break — during which they were not allowed to leave their work bench.

Dr Alex Fisher, who treated many juvenile compositors on newspapers, reported: 'They soon lose the healthy glow of youth; the digestive organs become deranged; their growth is checked, and they are often the victims of tubercular disease.'

Yet their conditions were excellent compared to that prevailing in the baking and catering industries. Henry Foley, later secretary of the Operative Bakers' Society, reported that as a baker he worked 15 hours a day from Sunday to Thursday — 'from eleven o'clock at night to two o'clock the next afternoon, with no intermission for meals' — and 20 hours on a Friday, a total of 95 hours a week.

Sanitary facilities were usually appalling — if they existed at all. At F. Joseph and Co.'s clothing factory in Flinders Street, in the heart of Melbourne, there were 'no privies for either males or females, and no lavatory or urinal'.

Often workers had to walk several kilometres to use lavatories at railway stations — and were docked pay for the time they missed. One factory owner boasted that he had installed water closets for male and female employees, but refused to put doors on the closets 'as the workers would loaf, and I could not watch them'.

To complain was to invite the sack. 'All hands are liable to be discharged at one moment's notice,' warned a sign at the factory of the Australian Tobacco Company.

Workers still vividly remembered how 17 printers on Henry Parkes' newspaper *The Empire* had been jailed under the Masters and Servants Act for 'conspiracy' to go on strike if demands for better working conditions were not met. Parkes was later knighted and became Premier of New South Wales.

After suffering various amendments, Major Smith's Bill was renamed the 'Supervision of Workroom and Factories Act' and became law early in 1874, the first of its kind in Australia.

The main sections of the Act defined a factory as any place at which 10 or more persons were employed in manufacturing goods. Still concerned mainly with protecting females, it ruled that no woman or girl should be employed for more than eight hours in any one day without permission from Victoria's Chief Secretary.

It placed control over sanitation, warmth, cleanliness, and so on, in the hands of the Central Board of Health, whose inspectors were given the right to enter factories at any time.

Important a breakthrough as it was, the Act was as leaky as the proverbial sieve. Small factory owners simply split their workrooms into smaller, 'autonomous' units in separate buildings, each employing nine or fewer workers; others reduced their staff to nine and ordered more work to be done at home. In addition, said *The Age* in 1879, in many country areas:

...the inspection has hitherto been most lax. The duty, under the local boards of health, has generally been performed by people who enjoy a plurality of municipal appointments, and they are most cautious in not allowing their zeal in bringing to light factory abuses to offend, in many instances, the very persons on whom their tenure of office materially depends.

The Age, under the editorship of the influential David Syme, continued to campaign against such abuses as 'out-work' and 'home-work' which made nonsense of the eight-hour clause in the Factory Act.

This agitation led to the appointment, in 1883, of a Royal Commission into the effectiveness of the legislation. This Commission uncovered many shocking practices.

The inquiry resulted in a new Factories and Shops Act being introduced in Victoria in 1885. The new legislation brought about such significant improvements as prohibiting the employment of boys under 12 and girls under 13, but failed to outlaw home-work.

The other Australian colonies were much slower to protect workers. In New South Wales at that time the only legislation related to the safety and working conditions in coal mines, which restricted adult miners to 10 hours labour a day.

In 1891 the Premier, Sir Henry Parkes, explained his reasons for opposing further legislation to protect workers:

The question is not whether eight hours or ten hours shall be a day's

labour, but whether Parliament has the right to say to a human creature... 'You shall work for a given number of hours'... It is because I feel it is an act of tyranny ... that I am opposed to legislation to fix hours of labour.

Only in 1896 — after widespread strikes and Parkes' departure from the political scene — did New South Wales legislate for the first time to lay down maximum hours for workers in 'Factories, Bakehouses, Laundries, Dye-works and Shops'.

The Act also provided for some workmen's compensation in the event of injuries.

Roughly similar legislation was enacted in Queensland about a month later. By then Tasmania and South Australia had already passed their first Factory Acts.

In Western Australia, however, apart from providing seats for shop assistants, little was done until 1904, three years after Federation, when the State's first Factory Act took effect.

Despite this, by 1906 conditions were still so bad that the Legislative Assembly was told of women being paid 14 shillings for working a 72-hour week.

Only the following year did the State's Arbitration Court abolish some of the worst abuses in the clothing industry and fix minimum wages.

By then far more tolerable conditions existed in industry throughout Australia, much of it brought about by the growing industrial muscle of the trade

unions, as well as the various State industrial tribunals and, from 1904, the Commonwealth Court of Conciliation and Arbitration.

Today, Australians enjoy working conditions undreamed of a century ago. But still the struggle continues for more pay, better superannuation and fringe benefits, and shorter working hours. It is, inevitably, one campaign that will never end.