

23. *Mr. Arnold.*] There is a question that you do not deal with in your evidence. You know that now when there is a dispute a solicitor cannot appear unless by consent of both parties, either before the Court or the Board; do you think they should be permitted in cases of breach of award?—I think discretionary power ought to be allowed to solicitors to appear on either side in cases of breach of award. Generally, I should say that solicitors ought not to be allowed to appear in any proceeding whatsoever except by the consent of both parties. It is not advisable, in my opinion, because they run the proceedings out and lengthen them in order to get fees.

24. *Mr. Hutcheson.*] What is your opinion, Mr. Jones, on, say, a proposal that an award should apply to the whole trade in that district or in the colony, as the Act decides, notwithstanding the fact that there is no union in existence—say, in a district where men do not deem it desirable to form a union and cite their employers before the Board or Court; should an award regulate the wages of men in a certain shop, notwithstanding that there are no union men in the shop, as they have not formed a union? Do you think it should apply arbitrarily?—Yes, to the same district, or even throughout the colony. I think it opens up a big question.

25. *Mr. Tanner.*] With regard to subsection (h), clause 3, “No member shall discontinue membership without giving at least three months’ previous written notice”: Now how can a man give three months’ written notice if, say, on Monday he gets the sack and immediately gets another job? Under the wording of this clause might it not be held that a man is liable to pay twice over for three months?—We do not look at it in that way. I take it that the rules would have to provide that a clearance card be granted at once.

26. *Mr. Collins.*] Clause 54, with reference to Conciliation Boards, “If all parties are willing to accept the Board’s recommendation”: You think it should be necessary that all the parties should agree, and that the decision of a majority should not be taken?—Yes, it is quite right that they should all agree: for instance, say there were fifteen parties to a dispute on one side and three out of that number absolutely refused to accept the Board’s recommendation, it is quite an easy matter for the unions concerned to enter into an industrial agreement and compel the others to go before the Court.

TUESDAY, 24th JULY, 1900.

D. McLAREN, in attendance; examination resumed. (No. 15.)

1. *The Chairman.*] You were about to give us some evidence on the last day of our adjournment in connection with this Bill—Industrial Conciliation and Arbitration; I would ask you to confine your evidence to such clauses of the Bill, containing new matter, which you object to. We have taken a lot of evidence all round on this matter, and we intend to close the evidence to-day. If you have any suggestions to make in connection with the Bill you can do so afterwards—i.e., after you have stated your objections. Clause 34, subsection (2): “The other members shall in manner hereinafter provided,” &c., taken in conjunction with clauses 8 and 11, seems to give branch offices the same power as a distinct industrial union. We think that would be a decided danger. It would lead really to the abrogation of clause 11, which seeks to prevent the multiplication of unions in the same industry. We think that under clause 34, subsection (2), branch offices would have the same power as a distinct industrial union.

2. You object to that?—Yes, sir. There is only another clause that I have to deal with, and that is clause 113.

3. The exemption of Government from the operation of the Act?—Yes, sir. I might say in connection with this matter that I have had letters from the Wharf Labourers’ Unions in Greymouth, Westport, and Lyttelton, and these unions think it is a decided hardship that they should be placed in this position: that if they want to get a fair understanding with their employers they cannot, as casual workers, under this provision bring a case before the Conciliation Board or Arbitration Court against the Government. Now, at the present time, the Greymouth wharf labourers are working under an agreement with the shipping companies by which the shipping companies pay 1s. 6d. an hour for handling cargo; at the same time the men are doing the same work for the Railway Department, and they are only receiving 1s. 3d. an hour. They have approached the Government with respect to this anomaly, but at the same time it appears to us that the only way out of the difficulty is to bring the Government under the operation of this Act, and allow the unions to deal with the Government as they do with the private employers. It seems to us that in this case of the Greymouth Wharf Labourers’ Union to be somewhat of an absurdity. No doubt the employers will not pay more than a fair rate of wages, but that is all the men ask for from the Railway Department. The men are placed in this position: that to get fair and proper consideration they are forced into the position that they must strike or do something outrageous.

4. *Captain Russell.*] What clause are you referring to?—Clause 113.

5. *The Chairman.*] What about the Police and Defence Departments—would you suggest that the whole clause be struck out?—We suggest that it be amended in the way of bringing the Government under the operation of the Act—as an industrial body. This, of course, would exclude the Police and Defence Forces.

6. Is there any other new matter in the Bill to which you object, or is that all?—I should like to make a suggestion with respect to section 97, or, really, sections 96 and 97. I do not know if I am in order in making this suggestion. It is with regard to “references to Board or Court to be approved of by resolution of union.” Provision is made for the fulfilment of the duties of the officers of a union, and visitors to the colony have pointed out that under the Conciliation and Arbitration Act the whole burden is really being thrown more and more on the officers of the unions, and that individual members of unions are likely to shirk their responsibility in the matter. There is a provision in clause 97 for the proper calling of a meeting to provide for the reference of