MINUTES OF EVIDENCE.

FRIDAY, 24TH JULY, 1908.

G. R. WHITING, representative of the Federated Bootmakers of New Zealand, examined. (No. 1.)

1. *The Chairman.*] We wish as far as possible to take whatever evidence may be material to the Bill before us, but we wish to take it also with some regard to the economy of time. The Bill has been referred to the Committee since the 8th instant, and the desire is to send it back to the House as soon as possible. Therefore, we do not expect you, or any other witness, to travel by-and-large over the entire domain of labour, but to keep as strictly as possible in your evidence to the Bill. Last year we compiled a report of 160 or 180 pages containing a great deal of duplicated evidence, with the result that the report is of a very bulky nature, and, no doubt, a great deal of it would not be read. You have seen the Bill introduced this session?—Yes. I might say that my federation has seen the Bill and considered it in committee, and we have been instructed to lay, as representatives of the federation from Auckland to the Bluff, their views before your Committee. I will deal with the Bill as you suggest, and be as precise and clear as I possibly can. The whole of the First Part of the Bill deals with strikes and lockouts, and I may state that the Bootmakers' Federation strongly protest against the clauses in Part I dealing with strikes and lockouts. We are of opinion that the clauses in this respect are unnecessary, and not justified in any shape or form. We consider that a number of the strikes which have taken place in New Zealand would never have taken place had there been machinery in existence whereby the disputes could have been settled without the delays which have occurred in the past. We refer, of course, chiefly to the slaughtermen's strike and the Blackball strike. We are told that there are a number of strikes taking place at the present time, but I do not know whether they can be termed "strikes." At any rate, I see nobody in Wellington appearing to be the worse for the bakers' strike, and, as far as I can see, there is as much bread available to the public as there was before the strike. We are convinced that had there been machinery in the Act to settle disputes without the delays which have occurred, these strikes would not have happened. We say, however, that, no matter how drastic the clauses of an Act may be, it would be impossible to prevent strikes altogether. You may lessen them by good legislation, but it would be impossible to prevent them. The clauses in the present Bill would only cause more strikes, in our opinion, than have occurred during the past fourteen years, since the Act came into existence. As an instance of the effect of Part I of the Bill, I would like to quote the case of two men having a quarrel with their employer over their wages, or some other matter in connection with their employment. If these two men left their employ they would, we say, be strikers within the meaning of the Bill. I do not think I can say any more about Part I, dealing with strikes and lockouts, than that we strongly protest against all the clauses under this head.

2. What you have said applies to Part I?—Yes. With regard to Part II, dealing with "Enforcement of Awards and Industrial Agreements," sections 11 and 12 we agree with. In subsections (1) and (2) of section 13 we ask for the insertion of the words "not exceeding" after the word "penalty." Section 14, subsection (1), we agree with; but in subsection (2) we ask that the word "only" be struck out at the end of the paragraph, and these words inserted: "One assessor shall be appointed on the application of either party." That provides for an assessor to sit with the Magistrate to hear cases for breach of award.

3. *Hon. Mr. Millar.*] Without payment?—We leave that entirely with the Government. Provision is made for the payment of members of the Conciliation Boards and members of the Arbitration Court, and, personally, I do not think it is fair to expect a worker to sit in such a Court without giving him some remuneration. With subsections (3), (4), (5), and (6) of section 14 we agree, and also with sections 15 and 16. With regard to section 17, which embraces subsections (1) and (2), we are of opinion that if a union sues for a breach of award it should be entitled to the expenses. We do not say it should be entitled to the whole of the fine, but that it should be entitled to its expenses. We have known cases where a union has had to sue for breaches of award when the Factory Inspector has failed to take them up on account of thinking there was no breach, or because he thought he could not secure a conviction for the Department. We think that in such cases where the union sues it should be entitled to its expenses in bringing the matter before the Court for an enforcement of an award. I am aware that some people think unions take cases before the Court in order to secure the fines levied against their employers; but it is not our wish to take any fine which may be imposed, but only the expenses the union has been put to. Clause 18 we agree to, with this proviso: that it should apply to points of law only. We disagree with section 19 and its subsections.

4. *The Chairman.*] Give your reasons?—We claim that section 19 with its subsections gives the right of appeal to the Arbitration Court on the decision of a Magistrate, and that would simply place the unions in the same position as they occupy to-day frequently: we should then have to wait for the Arbitration Court to come round to the particular district and hear the appeal. The unionists right throughout the Dominion to-day, and particularly my federation, strongly protest against the delays that at present take place in the hearing of cases for enforcement of awards. Owing to these delays, in many cases, the witnesses have left the district—they may have gone to Australia or Goodness knows where—with the result that the case is dismissed for want of this evidence or withdrawn altogether. The same will apply if we allow appeals to go from the Magistrate's Court. That is the chief reason for our objection to the section, and I