

The penalty of £75, together with costs of collecting same, amounting to £72 12s. 6d., was obtained from the Blackball Miners for striking in February last year. These moneys were collected by means of attachment orders upon the men individually under "The Wages Attachment Act, 1895."

During the year the industrial peace has again been disturbed by at least three illegal strikes, the first being the strike of the Auckland Electrical Tramways Industrial Union of Workers, which took place on the 21st May, 1908, and terminated on the 25th of the same month. The settlement of this difficulty was brought about by both parties agreeing to submit the whole of the issues to a special Board of Conciliation set up under sections 51 and 52 of "The Industrial Conciliation and Arbitration Act, 1905." This arrangement was the outcome of the good offices of the Secretary for Labour (Mr. Tregear), who was on the spot two days after the strike took place, and who spared no efforts to bring about a reconciliation of the parties concerned. The finding of the Special Board was delivered on the 24th July last, and directed that the conductor (the discharge of whom was the principal cause of the strike) should be reinstated in his position. The decision also provided that any employee being dismissed from the service should be given a valid reason for such dismissal. Action was taken by the Department against the union for proposing a strike, and in its judgment "the Court recognised that the numerous dismissals by the company of workers without, in most cases, any reason being assigned probably had the effect of creating the impression that the company was moved by a spirit of hostility to the union." The Court made it clear, however, that "these dismissals took place in the exercise of the company's legal right to select and keep what servants it pleased out of those who were willing to be employed"; that the dismissals did not constitute any breach of award or breach of contract on the part of the company; and that the union was therefore not justified in its action in proposing a strike. A penalty of £60 was imposed, which was paid within twenty-five days. In the case against the company for discharging the conductor without first giving him a week's notice, the Court ruled that the technical breach committed by the company was of a most trifling character. No penalty was imposed, merely a breach recorded. The Court held "That it was not sufficient to merely tell the employee that he would be paid a week's wages in lieu of notice, the amount ought to have been actually paid or tendered to him when he was informed that his services were dispensed with."

The next strike was that of the Wellington Bakers' Union, which started on the 29th June, 1908, and lasted seventy-six days, and ended in the men accepting the terms of the new award unconditionally. The penalty of the Court in this case was £100 to be paid within one week. The fine was paid as directed by the Court. Action was taken against four others for aiding or abetting the strike. The Court ruled that the provisions of the Act did not cover such cases, and held "that the strike, which in this case is made an offence by the statute, was complete on the day the strike took place, and that it was impossible for the respondents to be guilty of the said offences by anything which they did after the date the strike took place."

The third strike was that of seventeen fellmongers employed by the Hawke's Bay Freezing-works at Paki Paki, who discontinued work for one hour because the company refused to comply with their request to be allowed ten minutes, morning and afternoon, for "smoke-oh" (which was not provided for in the award). This strike took place on the 15th January, 1909. The Department took immediate action against these men individually; the cases were heard before the Stipendiary Magistrate at Hastings on the 5th February last, who inflicted penalties of £1 each against the respondents.

THE SERVANTS' REGISTRY OFFICES ACT.

This Act continues to work fairly well, and very little trouble is experienced by the Department in enforcing its provisions. The new scale of fees is working well, and the reduction made in favour of the workers is counterbalanced by the increased amount received from the employers.

During the year six cases were taken under the Act, in five of which the Department secured convictions. In three cases the offence was for charging fees in excess of scale, and there was one case each for—(a) sending men to fictitious job (dismissed, as Act did not provide for such cases), (b) keeping a registry-office without a license, and (c) failing to keep notice "Licensed Registry-office Keeper" posted up. We have also received complaints that certain registry-office keepers are in the habit of continuing advertisements respecting positions after such positions are filled.

CONCLUSION.

In closing this report, I wish to express my sincere thanks to the Deputy Chief Inspector, the Accountant, the Inspectors, and the whole staff for their loyalty and devotion to duty. I also desire to express my appreciation of the uniform urbanity of employers and workers' representatives that my departmental duties have so frequently brought me in contact with during the year.

I have, &c.,

J. LOMAS,

Chief Inspector of Factories and Deputy Registrar of Industrial Unions.

The Hon. the Minister of Labour, Wellington.