MINUTES OF EVIDENCE.

THURSDAY, 31ST OCTOBER, 1912.

ELIJAH JOHN CAREY, Secretary, New Zealand Federated Hotel Workers Unions, made a statement and was examined. (No. 1.)

1. *The Chairman.*] Will you lay your views before the Committee?—The principle contained in the Bill has been before the Labour Bills Committee of Parliament since 1909. I did not know that the Committee were going to require any lengthy evidence on it at all. As far as the federation are concerned, seeing that this Bill merely gives effect to the principle of a twenty-four hours holiday on one of the seven days of the week, we are content to let the principle stand on its own bottom. The Bill does not at all give effect to very many of the reforms that we want in the trade. We recognize that it is too late now to attempt to get into the Bill other remedies which we want. We are quite content to let the thing go in the hope that next year we shall be able to come along and put a case before the Labour Bills Committee for still further improvements. I gave evidence before on the subject of the operation of a similar provision in other countries, and I do not think it is necessary to repeat that here. In Sydney—the place nearest here—the principle has been in operation through an award of the Court for, I think, the last three or four years—probably longer. We have been working for this now for six years. As I say, it has been before Parliament since 1909, and in 1911 the Labour Bills Committee recommended the principle to the favourable consideration of the Government, especially as far as hotel and restaurant workers are concerned. The Bill does no more than give to those men and women who are working in hotels seven days a week, and are getting only the half-holiday from 2 o'clock, after having worked on the day of the half-holiday, in many cases, six or eight hours—the Bill does no more than give them the morning off in addition to the afternoon. Girls who are working in restaurants which do not open on Sunday are not affected, nor are barmen in hotels. They will carry on just the same as heretofore, if the Bill is passed. There is one word I should like to see altered in subclause (1) of clause 2—the word "exclusively." This word has been used in one or two Acts, and when we have tried to give it a fair application the Court has held that it is meant in its full restrictive sense, and that the person employed exclusively on one thing must be doing that and doing it all the time, or else he is not deemed to be exclusively employed at it. It may happen—I do not say it will—that if the word "exclusively" is left in, a barmaid, for instance, might be put into the office of the hotel for half an hour, and then she would not be exclusively employed as a barmaid, and she would lose the Sunday holiday that she already enjoys and has enjoyed since, I think, 1900 by the licensing legislation. We are very thankful to the Government for having met our wishes in this respect. As I say, the Bill does not go nearly so far as we would wish it to do, but it will be a concession to a good many hotel and restaurant workers who have for years worked seven days a week for 365 days in the year. The last clause safeguards any arbitration award obtaining, and prevents any criticism of the Bill on the ground that the Legislature is interfering with judgments of the Arbitration Court. Proof of the efficacy of such a clause can be seen in the case of our own trade. We secured an award in 1910, and the award was to last for two years. The Act was passed a few months after the award was made, and the Act said that notwithstanding anything in the Act the award should last. The award laid down sixty-five hours. The sixty-five hours lasted for the two years, despite the fact that the Act said sixty-two hours, because of an exactly similar provision to this. So I say that the addition of clause 3 will remove any ground for the statement that the Bill in any way interferes with the jurisdiction of the Arbitration Court.

2. *Mr. Veitch.*] Will you tell the Committee exactly what reduction of hours this means to male employees and to female employees?—The Bill does not deal with hours at all, and does not mean any reduction of hours at all, except perhaps a two-hours reduction so far as male workers are concerned. At present our working-week is sixty-two hours for males and fifty-eight hours for females in hotels. We do that work on six days and a half. Even when we do get the half-holiday we work in some cases six or eight hours on that day. The half-day starts at 2 o'clock, and in the ordinary way many an employee would be off till about six o'clock on that evening and only be required to come back two hours to serve the dinner. The half-holiday in many cases only means the cessation of the two hours' work that would be ordinarily performed were there no half-day granted. As I say, the men work sixty-two hours on six days and a half, and the women fifty-eight hours on six days. We should be liable under this Bill, I take it, to work sixty hours for males and fifty-eight for women.

3. That is, a reduction of two hours a week for males and nothing for women?—There is no provision in this Bill for any reduction of hours. We have not asked for any reduction of hours at all. We are simply asking that every man and woman that works in a hotel shall get up one morning and be able to say, "I have not got to go to work to-day." The position at present is that on no morning can they get up and say they have not got to go to work that day.

4. *Mr. Davey.*] Who selects the day?—The employer has the right to say on the preceding evening. We have never asked that we shall say what day it shall be. The present Act leaves it entirely to the discretion of the employer as to which shall be the day.

5. What do you propose to insert instead of this word "exclusively" in clause 2?—There is a word that the Judge of the Arbitration Court has himself substituted very often, when he has seen the hardship the union has suffered by having the word "exclusively" put in: he has substituted