

24. *Mr. Potter.*] Are you not expressing only your own opinion as regards the future of industrial trouble under one union in saying that the whole would not come out? Is it not just what you surmise?—I know the class of workers I represent, and they are not a class who are fond of striking. I do not think any painters' organization has been out on strike in the history of New Zealand.

25. But you never know what may eventuate. You are expressing your individual opinion?—And I am instructed to express that. We have discussed this matter for a number of years. It has been sent to both the present and former Ministers of Labour. We have discussed it from many points of view, and we think that from our own point of view as to organization this is the best step we could take.

26. If one branch were to come out on strike would it not be supported by all the others?—If that branch did come out they would have to put up with the penalty.

27. *Mr. S. G. Smith.*] Do you know anything about the constitution of the Amalgamated Society of Railway Servants?—I know they have two unions.

28. But that they have branches all over New Zealand?—Yes.

29. Controlled by an executive in Wellington?—Yes. We do not care where the executive is placed. We want something similar to what they have.

30. Do you know that the executive of the railway men deal with the head of the Railway Department in fixing wages and conditions of employment?—I understand that that is so.

31. And that is what you want for your union?—Yes.

32. Do you know anything about the constitution of the Employers' Federation?—No. I have never had a chance of getting hold of a copy of it.

33. But you know sufficient to be able to say that they have branches all over New Zealand?—Yes.

34. And they are controlled by a central executive?—Yes.

35. *The Chairman.*] Would you consider the work of the railway administration throughout New Zealand, it being a Government concern, is on all-fours with the separate activities of other enterprises?—No, but it has a similar organization—one organization.

36. Would there not be more chance of disturbing influences where you were dealing with a whole industry?—No. There would be more likelihood of fixing things up more beneficially to all concerned. You would have a recognized authority in every trade. You would have the executives of two different bodies, employers and workers, who would deal with the whole of the society all through the country.

37. *Hon. Sir W. H. Herries.*] How many men are there in your union?—In the Federation there are about thirteen hundred.

38. *Mr. Kellett.*] You are speaking practically for the lot?—For the painters' unions of the whole Dominion.

EDWARD KENNEDY examined. (No. 3.)

1. *The Chairman.*] Whom do you represent?—I am president of the Wellington Trades and Labour Council, and I also represent the Hotel Workers' Federation of New Zealand.

2. What do you wish to say with regard to the Bill before the Committee?—At the outset I want to say that the proposal contained in clause 2 has nothing whatever to do with the O.B.U. It also has nothing to do with striking unions; otherwise we would not be here trying to improve an Act which penalizes us very severely if we go out on strike. The Hotel Workers' Union has something like fourteen thousand members in New Zealand, and we have something like twenty-three separate controls over that organization. Wherever we have a little branch they have definite control, laying down certain lines, which is not right. If we wanted to be anything else but a union registered under the Arbitration Act, there is ample power already outside the Act to form one big union and escape the penalties of this Act. Our section would still remain under the Act.

3. Then, you do not need it, as far as you are concerned?—No—if we wanted to do it. I want to dispose of the idea that we want to go out on strike or form one big union. All we want to do is to bring the Arbitration Act into line with the Arbitration Acts of other countries. The Arbitration Act of the Commonwealth of Australia allows you to have one union covering the whole Commonwealth in one industry, a union controlled by one body. The Arbitration Act of Queensland allows you to have one union in an industry right through the State. In New South Wales the same principle applies, and again in South Australia and Western Australia. In Victoria they have no arbitration system. Our Act has got to be improved if it is going to last. We have been pleading with Parliament for quite a number of years to try to improve the industrial machinery of this country. Since 1908 only one small part has been improved, and that was in 1911. We had great hopes of that legislation doing something along the lines of a Dominion award. We first tried to utilize it with the bakers, and, of course, if that had been successful the whole of us would have followed in line. We made the bakers' case a test case to decide whether the law stood or not, and after trying for some ten months to bring the law into operation we got before the Court, Mr. Justice Sim presiding. His decision can be found in Volume 13 of the Book of Awards. This is what he said in delivering the judgment to the Court: "It was proposed that the application by the association for a Dominion award should be heard at the sitting of the Court in Wellington during the present month. The amending Act of 1911, which authorized the making of such an award, came into force on the 1st March, 1912, but the regulations prescribing the procedure in connection with such applications were not gazetted until the 13th June, 1912. The association became so impatient at the long delay on the part of the Labour Department in having these regulations framed that, in anticipation of the regulations, an application for a Dominion award was framed and filed in some of the industrial districts of the Dominion. When the proceedings in connection with this application were examined they were found to be so defective that it was impossible to proceed with the application in its then form, and the parties were informed of this. The association has now applied to the Court for directions as to further proceedings in connection with the application. The Court, of course, cannot issue any directions to the association on the subject. All that it can do is to make suggestions with regard to future proceedings. Having carefully considered the provisions of section 4 of the Act of 1911 and of the regulations thereunder, we have no hesitation in advising the association to abandon the attempt to obtain an award under the Act in its present shape. The procedure is so complicated and confused