

Out of the total of 157 disputes dealt with by the Commissioners and Conciliation Councils, 124 (equal to 78·98 per cent.) were thus settled or substantially settled by them without recourse to the Arbitration Court. The proportion so settled last year was 76·2.

#### *Prosecutions.*

Prosecutions for breaches of Act and awards and industrial agreements, 707 (76 dismissed). Employers were proceeded against in 188 cases, while of the 519 cases against workers 482 were for breaches of the anti-strike provisions of the Act.

#### *Registrations of Industrial Unions and Associations.*

None of these calls for comment. The usual statutory return (to the 31st December, 1922) of the unions registered under the Act, with their membership at that date, is published herewith as an appendix. Comparison with the previous year shows that there has been a decrease of five in the number of employers' unions, with a decrease in the membership of 203. The total number of workers' unions has increased by five, and the total membership has decreased by 1,110.

#### *Decisions of Interest during the Year.*

(1.) *Strike*.—An employer in the freezing industry gave notice to his workers that on and after the 25th May, 1922, wages would be reduced in accordance with the general order of the Court of Arbitration dated the 10th May, 1922 (made in pursuance of the amending Act of 1921–22). The workers failed to resume work on the 25th May. It was contended by the workers that the notice was equivalent to a termination of their services, and that they were accordingly within their legal rights in refusing to accept the altered conditions of employment. In an opinion on a case stated the Court of Arbitration held that while this is so in the case of workers engaged at a definite rate, if the engagement was at "award rates" a variation in accordance with a general order must be deemed to be a condition of the contract, and any such refusal of work would be "a discontinuance of employment" within the meaning of the Act.

(2.) *Slaughtering by "Team System"*.—As a result of a cessation of work at some of the freezing-works, application was made by the employers to the Court of Arbitration for a supplementary award to provide rates of remuneration and other conditions of employment for workers employed to slaughter and dress animals on the "team system," under which the work is done by a number of unskilled workers, each of whom undertakes one operation in respect of each animal. The original award provided for a system of slaughtering and dressing by skilled slaughtermen, each of whom killed and dressed the animals allotted to him and was responsible for the whole of the operations connected therewith. The Court held (1) that the "team system" could not be regarded as a new system in New Zealand; (2) that a supplementary award could not accordingly be made; (3) that if the members of a union unlawfully cease work and go on strike, and it is impossible for the employers to carry on under the system provided in the award, the workers are not entitled to the benefit of the award, and the employers are justified in adopting a system that will enable them to carry on with the labour available, so long as they pay the minimum rates fixed by the award for unskilled labour.

(3.) *Strike*.—The members of an industrial union that was bound by an industrial agreement were working for a company not party to the agreement. It was held by the Court of Arbitration on appeal (reversing the decision of the Magistrate's Court) that, notwithstanding that all the members of the union are (*vide* section 28 of the Act) bound by any agreement to which the union is a party, in the circumstances the workers could not be regarded as "bound by an award or industrial agreement" within the meaning of section 5 of the Industrial Conciliation and Arbitration Amendment Act, 1908, relating to strikes, and consequently could not be convicted under that Act of taking part in an unlawful strike. They would therefore be covered by the Labour Disputes Investigation Act, under which any proceedings should be taken.

#### *Industrial Disturbances.*

There were forty-nine industrial disturbances during the year, of which forty-one may be classed as unimportant or trivial. The following is a brief summary of the eight important disturbances:—

(1.) *Coal-miners, Blackball*.—120 employees at the Blackball coal-mines refused to work on one or two days each week during a period of approximately five months, to compel the employers to pay a full eight-hours pay for a six-hours backshift on pay Fridays and back Saturdays. Action was taken against the men for these stoppages, but the cases were subsequently withdrawn owing to the assistance rendered by the men during a fire in the mine. Meantime the dispute in question was settled.

(2.) *Coal-miners, Rewanui*.—Owing to a dispute with the employers over the time to be allowed for travelling after ceasing work, 276 men employed at these mines discontinued their employment on two occasions—on the first for five days, and on the second for four days. The men returned to work on the employer's terms.

(3.) *Coal-miners, Ngakawau*.—Owing to the dismissal of an engine-driver for disobedience of orders, 240 men employed in the Ngakawau mines discontinued their employment. The stoppage occupied forty-one days. Action was taken against the union, and a penalty was imposed. The engine-driver was subsequently reinstated on certain terms.