

8. *Mr. EU.*] The Inspector's time is so fully occupied in inspecting factories that he has not time to devote to the work you refer to?—He certainly has not time at present to attend to outside cases—the building and kindred industries, such as brickmaking, plumbing, painting, carpentering, and joining. Those are the amendments, gentlemen, that I am instructed to suggest to you.

WILLIAM THOMAS YOUNG examined. (No. 5.)

9. *The Chairman.*] Whom do you represent?—I represent the Wellington Trades and Labour Council and the Australasian Federated Seamen's Union.

10. Do you hold any position on these bodies?—I am the President of the Wellington Trades and Labour Council and the Secretary of the Federated Seamen's Union.

11. Will you make a statement, Mr. Young?—I may say, in the first place, Mr. Chairman, that the evidence given to-day by these witnesses from the Trades and Labour Council is practically representative of the opinion of the whole of organized labour in the colony. With respect to this Bill, I may say that we have gone somewhat closely into it and considered it, and have come to the conclusion that if the provision in it regarding the "maximum penalty" were passed into law the working of the measure would be inoperative, inasmuch as there is no instance that we are aware of where the maximum penalty does not exceed £50. In all cases the penalty laid down by the Court for any breach is £100 or over. Therefore we suggest that "£50" should be struck out and "£100" inserted in lieu of it, or it might be left out altogether; probably that would be the better idea. In regard to the appeal allowed, to the Arbitration Court from the Magistrate's decision, I may say we are opposed to that, for many reasons. The matter was fully discussed at the last conference held in Christchurch, and we carried a resolution against it. We think the Magistrate's decision should be final in cases of this kind, and that there should be absolutely no appeal, because if you allow an appeal in one instance there is no telling where the matter is going to end, and it may be the means of putting our side and the other side to a great deal of expense in connection with any particular appeal, even though it may be on points of law. There is no telling what might possibly be construed as being a point of law. We think it would be safer for all concerned to say in plain language that the Magistrate's decision shall be final. We do not desire any appeal whatever. We are quite willing and prepared to accept the decision of the Magistrate. There are one or two matters I should like to deal with that are outside of the Bill—in respect of clause 98 of the Act. In subsection (1), after the word "members" in the third line, we suggest that the words "present at the meeting" should be inserted. At the present time after you have passed your resolution referring any case to the court for settlement in conformity with that section, you have to take a ballot of your members; you have to send ballot-papers out to all the members in respect to the question in order that they may record their votes. We ask that the Act be altered so that if a ballot is to be taken that ballot shall be confined to the members who are present at the meeting; of course, it being clearly understood that every member of the union receives notice that the special meeting is to be held, and by that notice gets ample opportunity of attending if he so desires.

12. *Mr. Laurensen.*] Do you not think that the clause meets that already? It reads, "In the case of an industrial union, by resolution passed at a special meeting of the union and confirmed by a subsequent ballot of the members." Does that not mean the members present at the meeting?—No; it has been held otherwise. It has been construed to mean a poll of the whole of the members of the union. Then, following up that proposed amendment, we suggest that section 99 of the Act should be repealed. We suggest that the clause be struck out in conformity with the proposed alteration to clause 98. Clause 99 reads, "Each such special meeting shall be duly constituted, convened, and held in manner provided by the rules, save that notice of the proposal to be submitted to the meeting shall be posted to all the members, and that the proposal shall be deemed to be carried if, but not unless, a majority of all the members of the industrial union or of the governing body of the industrial association vote in favour of it. (2.) A certificate under the hand of the chairman of any such special meeting shall, until the contrary is shown, be sufficient evidence as to the due constitution and holding of the meeting, the nature of the proposal submitted, and the result of the voting." We also suggest that the Act should be altered so as to provide that the President of the Court shall attend solely to Arbitration Court business when there is any such business to be transacted. There is really some necessity for this provision. At the present time the whole of the arbitration business is hung up. There are altogether, I dare say, taking the whole of the cases in the colony, between four hundred and five hundred at the present time waiting to be heard by the Court; and notwithstanding that state of affairs we find that the President of the Court is taken away from arbitration business for a considerable time during the year to attend to Appeal Court business and other duties in connection with the Supreme Court. We say that is not just, nor is it right in any sense to both sides concerned in these issues. Where a case is required to be heard the President should give his first attention to it. There is a case in point concerning my own union. We have had a breach of award filed for something like ten months now. I do not know when we are going to get heard—we may never get it heard. But in any case the witnesses whom we require to prove the breach are not here—one is in London and the other is in San Francisco. What is going to be the position of the union when we go before the Court? We have absolutely no evidence to prove the breach. And that is simply one instance out of hundreds affecting all the unions. Breaches are hung up for months and years at a time. There are some breaches that have been filed for over two years. The evidence in connection with these cases is not now obtainable in the colony, and when they come before the Court the unions will not be able to substantiate their case owing to the want of evidence. Outside of breaches, there are disputes which have been hung up for a very considerable time, and we say that Parliament would be doing a good thing if it were to legislate providing that the President should give his first attention to Arbitration Court business so long as there is any such business to be transacted. There is another point which might be