

80. There is provision in the Bill with regard to a needs wage and an exertion wage?—Yes.

81. You are opposed to that?—Yes.

82. Do you not consider that the worker who is more skilful, more capable, or more energetic than another should be entitled to receive more than the standard wage?—If the employer agreed to pay him for his skill I should not object. I take it that the Court only fixes the minimum.

83. The Court fixes the minimum, which really becomes the maximum?—Yes.

84. Do you consider that all workers in the same line of work should be paid the same wages?—Yes.

85. And if one man does half as much work as another during the same time he should be paid the same wage?—I suppose if a man did only half the amount that another did he would be discharged as incompetent to do the work. That is the position so far as we are concerned. If a man is not capable of doing the work they simply dismiss him.

86. Would that not give an opportunity to the union to say the man was victimised?—No. If an employer were candid enough to come and say that a man was not good enough for the work, I would go to the man and tell him his fate.

87. Do you consider an employer has the right to dismiss any workman whom he thinks is not doing the work to his satisfaction?—Yes, provided he gives a reason.

88. To whom should he give the reason?—To the man himself.

89. And if the man is dissatisfied with the reason?—He can go to his union. If the reason is that he is incompetent the man can go to his union, and the union can confer with the employer.

90. Supposing a union decided that the reason given by the employer was not in their opinion a sufficient one, what then?—Then there is a dispute in connection with the discrimination clause of the award. You can then submit it to the Court.

91. Not that there should be a strike?—Certainly not. Instead of waiting for the Court to come along, the matter ought to be referred to the Magistrate's Court and two Assessors, and then in two or three days the thing would be over.

92. Speaking in reference to strikes, you made a remark as to victimisation being a cause for strikes?—Yes, there is no provision in the Act at present to protect men.

93. But if a union does not make any reference to the Court, but decides to strike, you would not uphold that?—If a union takes up a stand that one of their fellows has been victimised, there is no provision in the Act or award against it. They cannot submit that matter to the Arbitration Court. If they then strike they strike on independent grounds, which are not covered either by law or by an award.

94. Do you consider it right that a union should decide that its members should strike because a man has been discharged by an employer who deemed him unsuited for the work, or considered he was incompetent, or for any other good reason?—I say that before a union goes out on strike it should have some strong and reasonable ground for doing so, and it is only in a case where there is no other alternative that they should have the right to do so. In the case where a person is victimised, they have to wait until judgment can be given.

95. I thought you said you were opposed to strikes?—Yes.

96. Why do you say that under certain circumstances men would be justified in striking?—There are instances. Take the case I gave you the other day—that of the man Ewart. If the Department had not met the case the men would have struck.

97. What is your definition of the term "victimisation"?—Any person who is dismissed from his employment without justifiable reason given for that dismissal.

98. And that justifiable reason is one which must be determined by himself or by his union?—That would be determined by a committee appointed by both sides. If a person is dismissed or victimised by the shipping companies at Greymouth, we have a provision in our award by which either of us can ask that a committee of two representatives be appointed and call in an independent chairman to decide whether it is a matter of dispute or not, and if they come to a conclusion that it is a dispute then the matter is referred to the Court.

99. Do you approve of that?—Yes; but we have the position taken up sometimes that the employers refuse to recognise the necessity of appointing this committee. We have the Court to go to, but that is so long in coming round that a man might starve before his case was heard.

100. In your experience, do you find that employers victimise the men?—I have noticed that there have been undue punishments given to men.

101. In what way?—The casual labourer is placed in this position: He goes down to the wharf and presents himself for employment every morning. He expects to be called upon provided the work is there. He may be a person who has been receiving a fair amount of work, and his average is about £3 a week; but suddenly he finds that he is not being called upon to go to work, and this may go on for three or four weeks. He complains to the secretary of his union. The secretary approaches the foreman, who gives him no satisfaction. That is a case that would come before the Magistrate's Court. If the worker were unsuitable nothing would be said of it, but if he had to stand aside for three or four weeks and was given no reason why he was punished, that would be victimisation.

102. We had an illustration, so far as the Wellington Wharf Labourers are concerned, the other day, when a deputation waited on the Premier and told him that there was a surplus of labour, and more than was required to do the work: there must be shortness of employment at times?—In the case I am referring to men were deliberately left out of the work, and the foreman would not give any reason; but in three weeks he took them up again.

103. There must have been good reason for that?—Why did he not give it, then?

104. It does not always suit an employer to give a reason, for fear of an action?—He could give a reason to the employee—that would not be libellous.