

at nine boxes instead of eight?" And if he happens to be an unscrupulous employer he will take advantage of his power to do that, and speed the men up, and do them injustice. Clause 58 we disagree with entirely. It is giving the Court power to refuse to make awards in certain cases. It seems to us that this is another clause that is entirely unnecessary in the present Bill, and I cannot understand why it is there at all, because even now the Court has power to refuse to make an award if it deems the claims of the union to be frivolous. Why under these circumstances introduce this clause 58? There may be cases arise where the union might be in the position of not being able to place the full facts before the Arbitration Court.

39. Owing to the delay, I suppose?—The delay and other reasons. For instance, supposing a union is formed in an industry where a great deal of dissatisfaction exists or a certain amount of dissatisfaction exists, and when it comes to the point of getting witnesses to give evidence as to the reason why, there is very great difficulty in getting them to do so. You have to put into the witness-box men who, for the most part, are getting good wages, good conditions, practically more than the union is asking for, and who are not discontented themselves, and the result may be if this clause comes into operation that the Court may say, "We have had evidence from ten or twenty men who are getting more than the union asks, and who are perfectly satisfied with their own conditions." But the fact remains that there is still this dissatisfaction—there are bad conditions existing—but the men have not had the gumption to go along to the Arbitration Court to confront their employers and speak out as to what they know to be absolutely true. That position may arise, and we suggest that this clause be therefore deleted altogether. We approve of the spirit of clause 59. There is a slight amendment in subsections (2) and (3) which would strengthen the clause in our estimation. The object of the clause is to enable a union to cancel its registration, whether a case is pending or not. Clause 60 we ask to be deleted altogether. This seems to be entirely unnecessary also. Under the present law the Court has a right to appoint assessors if it so desires, and this has only been taken advantage of on one or two occasions. So where is the need, if during the whole history of the Arbitration Court this right of appointing assessors has only been taken advantage of once or twice, for this clause with its sixteen subsections? They have the power under the present law, and because they have the power under the present law we desire this to be deleted. That is all I desire to say.

JOHN JACKSON examined. (No. 4.)

*The Chairman.*] What are you?—I am secretary of the Greymouth Wharf Labourers' Union and secretary of the Trades and Labour Council of Westland. I have been deputed on behalf of the Trades Conference to come here and give evidence. I desire to traverse as little as possible the points touched on by Mr. Thorn. I will briefly state that the Conference does not believe that the retrospective and repressive legislation, as proposed in the Bill, will help us one little bit, but that it will only aggravate the situation. While we disbelieve in the efficacy of strikes, we hold that we have the right to withhold our labour when we consider it necessary. We strongly disapprove of sectional strikes, and have a movement on foot for the federation of the whole of the labour unions in the Dominion. It is proposed that ultimately no section of our workers shall strike until the matter in dispute is first submitted to our federation to deal with, so that undue harassment of employers will not eventuate. While affirming the principle of arbitration, we hold that in cases of victimisation we have a right to protest. It is the only right we have left, and we do not want to give up the right without protest. Cases of victimisation arise that are not provided against by law, and in the transport industry we find that this principle is greatly abused. We find that men are victimised week after week, and have absolutely no remedy either in the Court or in Parliament. I have been before the Arbitration Court twice in connection with disputes, and each time we asked for a discriminating clause. While the Court has always put such a clause in the award, it is so vague that we cannot possibly obtain a conviction for breach under it. Men have been refused work, and have stood out for a month or six weeks at a time, and the employer has refused to give any reason for not putting them on. I have asked the employer's representative why he has not given a reason for not putting a man on, and he has answered—and Mr. Brown, of the Arbitration Court, has said the same thing—that it is more than he dare do to give a reason. It might be because of the pillaging of cargo, and yet they cannot give a reason for fear of an action. We think the employer has a right to tell a man why he is not allowed to work, because in such cases it would not be libellous. When a man is dismissed without a reason given one would infer that he has done something wrong, and it is absolutely unfair to him. A case of victimisation took place in my own union some time ago. A young man was working for the Railway Department, the workers in which do not come under the arbitration law. He had been employed there for about nine or ten months as a probationary shunter. Prior to that he had worked on the wharf, and was a capable workman who received a fair rate of wages—in fact, earning about £3 a week on the average. His health broke down when working as a probationary shunter on account of the long hours he had to work, his legs giving way. He applied for a shift, and was dismissed. He kept account of his overtime, and put in a claim for it, and afterwards got it. I do not know whether any official got slated over it or not. After he left, the only place he could go to was on the wharf, where he applied and got work, but after a few weeks the foreman told him that he was not wanted on the wharf any more. My union took this case to heart, because he was a capable man, and they would have struck if I had asked them to do so. But I asked them to keep quiet for a while, and I would write to the Minister for Railways about the case. I wired to the Minister, and he looked into the matter at once, found that we were right, and had the man reinstated. If that man had not been reinstated we would have struck. The same thing has happened amongst our wharf labourers who have worked for the shipping companies, whom I have known to have to leave the wharf without any