

pleased to see that provision, because it happens very often that our men work thirteen and fourteen hours even under present conditions. Not only do they work that time, but it is spread over as long as sixteen and seventeen hours in the day. They start early in the morning and have a couple of hours off, and they have a couple of hours off in the afternoon, and then are kept on till 10 or 11 at night; and so they never have any relaxation except for an hour or so. There is a section in the Queensland Act that I should like the Minister to note, which provides that men should not be employed for more than a certain number of hours at one time. It means that if a man starts work at 6 o'clock in the morning he should not work longer than a certain hour at night; and it is also provided that there should be a certain period of a day during which he should not be at the beck and call of his employer, and we ask for the same provision, so as to prevent this often capricious and vindictive infliction of hours on the part of the employers.

9. *Mr. Hardy.*] Vindictive employers?—Yes.

10. *Mr. McLaren.*] You do not mean all?—I said "often." I think that in subsection (d) of section 5 there is a literary mistake: instead of the word "such," it should be "one." It reads, "At any time after two o'clock in the afternoon of *such* working-day in each week as the occupier in the case of each assistant thinks fit." That means one working-day. We agree that the employer should have the option of saying on what day his men should be entitled to go off. We are not asking for principles or conditions which would impose undue hardships on an employer. The employer might have a rush on on a particular day in the week, and he should have the right to say when the half-holiday should be given, provided the worker gets the half-holiday on one day in the week. With the overtime provisions, as I said before, we are especially pleased. I have not had time to go into the clauses which have been repealed, but I understand that they deal with the time of shop-assistants, and do not affect us. With regard to the section dealing with the hours of night-porters, these are especially pleasing, because of the technicalities which robbed night-porters in the past of the half-holiday. The position is this: that under the existing Act all persons working in hotels shall be deemed to be entitled to a half-holiday per week. The men took a case here against the hotelkeepers, and the Magistrate agreed with the hotelkeepers that the night-porters were not entitled to the half-holiday. The Department thought the clause did apply to night-porters, and took a case before the Court in Christchurch, where the Magistrate there also thought they were not entitled. The Department then took the case to the Supreme Court, and Mr. Justice Denniston agreed with the Department and the employees. Then the hotelkeepers, instead of giving the night-porters a half-holiday, took advantage of a technicality and said, "We will let them come to work at 12 midnight instead of 10 p.m. as usual." This provision, which gives them one clear day once a fortnight, is a splendid provision, and they are very thankful for it. With regard to section 7, I have never yet spoken to any worker in the trade who is not bitterly opposed to it, and we ask very earnestly that it shall be repealed. Section 7 proposes to allow the half-holidays to accumulate if the employee so desires. We are of opinion that if it comes to the point the worker will not have any say in the matter. I admit that the clause provides that "if the employee desires" they may accumulate.

11. *Hon. Mr. Millar.*] I have been asked to provide for that by every one of the head waiters throughout the country I have travelled in?—Yes; they are men, perhaps, who are inclined to take the opinion of the hotelkeeper. When our case came before the Arbitration Court in 1907 the hotelkeepers never sought to give evidence themselves, but got their head waiters to give evidence. Therefore I would ask the Minister not to pay too much attention to the opinions expressed by head waiters, but to listen to the expression of opinion by the men whom I represent.

12. In Canterbury the opinion of the men after a ballot of the union is somewhat against yours?—I venture to say that the Canterbury union agrees with me.

13. I have a letter here signed by John Barr, the secretary?—I am sure the Canterbury union will agree with me that if the provision is allowed to stand it would not be the worker who has the choice.

14. Can we not modify it so as to give the man the opportunity if he so desires? A lot of men say they would prefer to have the accumulated half-holidays, because many of them come here as comparative strangers and know nobody in the place, and if they could get a week off at a time it would suit them better?—It is a remarkable thing that men, after having the half-holiday, should say that it was of no benefit to them. We want to make the half-holiday inviolate, and we ask that New Zealand, above all other countries, should not put something into the Act to set aside the half-holiday. We say that after working seven days in the week a man is entitled to have some relaxation. We had under the award made in 1902 a provision which said that after every three months the workers in the trade should have two days' holiday, or payment in lieu thereof. The union lasted in vigour for a year after the award. After that the union was carried on by Mr. Vaney, who managed to get his returns into the Department according to the Act, and keep the union in existence until I came along. The two days' holiday was a delightful "put-off." In the case of one chef we found that he had never had the two days' holiday or payment in lieu thereof, and we brought a case and obtained the man's money. The men were not in a position to stand up for their holiday, and never got it. I worked for nine months under the old award at the Royal Oak Hotel, and was continually asking for the holiday. It suits the employer to have these holidays accumulate. In every State in Australia there never has been any outcry about the holidays. In Queensland and in every other State the half-holiday is given, and we ask why should section 7 in this Bill give this option. We have enjoyed the half-holiday for the last eighteen months here, and see no reason why it should be taken away from us. The men are migratory and do not stay, and many of the workers do not stay more than six or seven weeks in one place for some reason or other. This provision gives the employer the option of paying for the holidays, and some employers have time after time asked their men to stay on and be paid for the half-holiday, but the men have refused.