

are to lose our award as stated by the Court, we are still prepared to advocate the Bill. We are content to be debarred the provisions of the Conciliation and Arbitration Act, we are content to have taken away from us all the main provisions as to wages and other conditions fixed by the award which we have fought and striven for, and paid for, provided this Bill goes through. That attitude on the part of the unions is a definite answer, and should be an effective answer, to the hotelkeepers' statement that the Bill is attempting to override the provisions of the award of the Court; because the President of the Court says that if Parliament does anything which shall interfere with the provisions of the award of the Court, then the award shall not operate. We say we are prepared to accept that decision—to accept the penalty of being deprived of going to the Court and getting a new award for two years, providing the Bill goes through. At the special meeting another resolution was adopted to this effect—that because certain women employees in the trade might be penalized and might suffer on account of being deprived of other of the benefits of the award, as an alternative we are content to have a provision inserted in the Bill which would make the hours provision or any other provisions which conflict with our award inoperative until the time for which the award was made has expired. That is a very important resolution. It would mean that the sixty hours for males and fifty-six hours for females provided for in the Bill would not operate in Wellington or at any establishment covered by the Wellington award until the time for which that award was made had expired. That is also an effective answer to the argument of the opponents of the Bill that the Bill seeks to override the provisions of the award of the Court. In the first place we say, "All right, let there be no award, and let us have the Bill, or, as an alternative, make the Bill operate only in so far as it does not conflict with the award, and then after the time for which the award was made has expired let the Bill come into operation, and then let the other side go before the Court and have an award made in accordance with the provisions of the Bill." There could be no fairer stand taken up by any body of workers than that. I think every one will agree with that. So far as I have read the Bill there is only one section and its three subsections which conflict with our award. Our award provides for sixty-five hours—I am speaking of the Wellington Cooks and Waiters' award—for both males and females in Wellington, and it only affects hotels. The other award which is in operation now in restaurants in Wellington provides for fifty-two hours for females and sixty-five for men. Section 5, subsection (a), of the Bill provides for sixty hours for males and fifty-six hours for females, subsection (b) provides for not more than ten hours in one day, and subsection (c) provides for half an hour for meal-time after five hours' work. Now, if it were not for the other subsection, (d), of section 5—and this is an important point—so far as the Wellington union is concerned we could say that the whole Bill shall operate except section 5, which shall not come into operation until the time for which the Wellington award was made has expired. Subsection (d) provides for the half-holiday, and our award does not. If subsection (d) was also made inoperative, then award-governed workers would have no half-holiday. That is another reason why Parliament should legislate in this direction, even although there is an award of the Court. Under the old award, and in all awards dealing with our industry, the Judge of the Arbitration Court has refused to deal with the matter of holidays, because he says in effect that the holidays are to be dealt with by legislation only. The Arbitration Court has said, "We will fix your hours and wages, we will fix the time of starting and knocking off, but we will not fix the holidays, because that is a matter for Parliament to deal with", so that if it were not for subsection (d) of this Bill we could agree, so far as the Wellington union is concerned, that section 5 should be made inoperative so far as Wellington was concerned until the time for which the award was made had expired. Finally, I just wish to say this—that the sixty-five hours fixed by the Arbitration Court has never been fixed on by evidence or argument, and it cannot be said that Parliament, by fixing on sixty and fifty-six hours is going against the investigation of the Arbitration Court, because there has never been any real investigation as to hours of work. The sixty-five hours was arranged by conciliation at the time of the existence of the Conciliation Board in 1907. It was a compromise between the parties, and in no other centre except in Wellington has the Arbitration Court ever heard evidence in connection with the case, with the exception of the Rotorua boardinghouse-keepers; but in no hotel case except in Wellington has the Arbitration Court been called upon to hear evidence and fix an award. It has been a compromise all along. In 1907 our representatives and the employers' representatives on the Board compromised on a sixty-five-hour week, and we have always done that in other centres until this time in Wellington, when we went to the Arbitration Court, and sought for a reduction. I put this to the Court as argument for reduction of the sixty-five hours: that here was a Bill brought down by Cabinet—a Government measure—which provided for sixty hours and fifty-six hours, and I asked the Court to take that into consideration if the President of the Court desired evidence to prove the necessity for a reduction of hours. I put before the Court the various enactments in Australia providing for as low as fifty-two hours, and in no case exceeding sixty hours, and I said that if fifty-two, fifty-six, and fifty-eight was fair in Australia, no greater number should be fixed on in New Zealand. The Bill increases the hours of a considerable number of women workers by four hours a week, but it brings down the hours in the country districts considerably, and we think the Bill should be placed on the statute-book. We think very little attention should be paid to the idea of the employers that the Bill overrides the provisions of the award of the Arbitration Court, because the award hours were fixed by compromise originally. Full safeguards could be made in the award and in the Bill to guard against any unfairness or anything unjust being done by the reduction of hours, but even if the Bill was so drafted as to make the existing awards conform to the Bill in all respects, even then an injustice could not be done, because it is a fair thing that in New Zealand women should not be asked to work more than fifty-six hours and men more than sixty hours a week.