

and employee, by having representatives appointed on the Arbitration Court?—No, Parliament in the original statute took the stand that in certain cases, such as factories and shops, and in mines and steamers, there should be certain conditions which should govern the employment of the workers engaged in those concerns, but they should be only general conditions. The other conditions, the principal ones, should be fixed by the Arbitration Court or the tribunal set up to deal with the case.

21 What do you call “the principal ones”—do you regard the hours as the principal ones?—The hours of the industry should be fixed by the Legislature of the country

22. Did Parliament fix the hours originally, or did the Arbitration Court do it?—Parliament fixed on fifty-two hours a week, and I am sorry to say that the Arbitration Court said, “I do not care what Parliament has done, I shall fix on sixty-five, and that has been done in our case. The Arbitration Court has got the power to override the work of Parliament, and has done so frequently.

23. That was the intention in setting up the Arbitration Court?—I think not. I should be sorry to think that the Legislature was foolish enough to give its powers into the hands of any one individual.

24. Then you think that the decision of the Arbitration Court should not in any award be final, but should be subject to revision by Parliament?—No, I do not take that stand at all. I take this stand that no member of Parliament will say to his constituents or to the country that fifty-six hours a week is not long enough for any woman to work.

25. That is not an answer to my question. The question is, if you go to the Arbitration Court for an award, and that award is given, do you think it should be subject to revision afterwards by Parliament?—I say that this Bill provides for sixty hours for males and fifty-six hours for females, and I say that no fair-minded man would say that those hours are not long enough for the people working in the industry. The sixty-five hours fixed in our award are by compromise in the first place, because we wanted an award. We had an award some time back which never became effective at all. In 1907 our representatives compromised in regard to the sixty-five hours, and since then the President of the Court has continually put in the sixty-five hours in all agreements. It is only in Wellington, and not the other centres, that there has been any investigation or case heard by the Court. Now, this Bill proposes sixty hours for males and fifty-six for females, and Parliament should have the power of saying to the Court, ‘You shall make an award in this industry, but you shall not make an award that will conflict with or override any of the main provisions which Parliament thinks is for the good of the workers and for the good of the community.’ It is not fair, when Parliament should say that fifty-two hours a week shall be worked by a certain section of workers in restaurants, that the Court should come along, and say that it shall be sixty-five hours—which was done in our case. When that provision was put into the labour laws of the country, “that this Act shall operate subject to any provisions of the award of the Arbitration Court,” it was never thought or intended that the Arbitration Court would twist the section so as to give it the power of overriding and fixing hours in excess of the hours fixed by Parliament. It was done so as to give the Arbitration Court the power to fix the number of hours at less than what Parliament fixed.

26 You mentioned the fact that the hours in Australia are less than they are here?—Yes, and fixed by a Tory Government at that.

27 Do you remember last year when that point was raised, not so far as the hours are concerned, but whether it was possible to have the same hours as in Australia, because of the greater difficulty in getting servants at spare times? Would you mind stating what your view of that is?—I am sorry to say that since I have been connected with the trade in Wellington and New Zealand there has always been an excess of workers in the industry, but it does happen that during race weeks—and we are not foolish enough to deny it—waiters and waitresses are naturally scarce, because no man is going to follow the line for £1 2s. 6d. or £1 7s. 6d. per week if he can get anything else to do. The men would sooner leave the jobs, and take on positions as tram-conductors. Here in New Zealand the men will not stick to the jobs, and I have proved in the Arbitration Court that there is not a New-Zealand-born waiter working at the trade in Wellington. They are imported from England, and become waiters for a year or two, and then they see that the conditions are so rotten that they will not continue in the work.

28 You say that the hotelkeepers and restaurant-keepers have the same facilities for getting waiters, male or female, as they would have in Australia?—In New Zealand they have greater facilities, because the number of immigrants arriving in this country is proportionately greater. The “Athenic” is here now, and there are men who came out here for £1 a month, and they are paid off in New Zealand. In addition to the immigrants that these boats bring out, the stewards are paid off here, and from their ranks are recruited the servants for hotels. That provision I have read for suspending the half-holiday providing a whole day is allowed in the following week shows a good deal of magnanimity, and we are prepared to agree to that in order to obtain the provisions of this Bill in regard to the hours in hotels.

29 *Mr Luke.*] Is there any other Act operating in connection with any industry in commercial life where the hours are regulated by statute as in this Bill?—Yes.

30. But only in regard to apprentices?—No, the hours are regulated by authority in connection with the Factories Act, where the hours are fixed at forty-eight per week. The irony of the thing is that a man in a bakehouse can work no longer than forty-eight hours, and yet the man in the kitchen, because there is no Act, can work 100 or 110 hours a week. The cause of that is that the men in the industry have not been organized.

31 *Mr McLaren.*] You prefer to have the hours fixed by statute instead of by the Arbitration Court?—Yes. I say that the Legislature should set out the number of hours that a man can be worked in any industry