

in every three months. If you take the half-holiday proposals in the Bill, you have six days and a half that the one employee gets off from his ordinary duty, but the one who is working works his sixty-two or sixty-five hours every week during the three months, receiving what would mean a half-holiday each week in thirteen weeks. The employee who gets the term holiday would only work, when you sum it up, twelve weeks of sixty hours per week. So you see, under the half-holiday provision the employer gets more consideration. We submit that four days is a fair proposal, and meets the whole position. In connection with section 7 we ask that a proviso should be put in that "any such assistants shall if required by the employer leave the premises during such holiday." Subsection (3): Delete the words "or by the assistant" and "to the occupier." An employer might have three, four, six, or eight of a party, and if they are allowed to remain on the premises the employer has to find accommodation for them. On the other hand, we consider it is a fair thing, if he has not accommodation, and desires them to live outside, that he should have power to say so. Subsection (3) of section 7 reads, "Any such arrangement may be terminated by the occupier at any time, or by the assistant on giving the occupier seven days' notice of his desire to terminate the same." Of course, that is necessary if you wish to give the assistant the option, but we ask that the words "by the assistant" should be deleted, so that the employers only should have the right. There are various reasons for that. Subsection (5) of section 7, in line 41, says, "Where any such arrangement is terminated as aforesaid, or where the employment of any such assistant is terminated from any cause, the occupier shall, within fourteen days after such termination, allow to the assistant a holiday on full pay for such period as is equivalent to the half-holidays or whole holidays as the case may be (if any) to which but for this section he would have been entitled since the expiry of his last preceding leave of absence, or, if there has been no such leave of absence, then since the date on which the arrangement came into force." So that the Inspector really has control of the time. And we ask in the case of section 7, subsection (5), that the words "but without board and lodging" be included. In the case of section 8 we ask that the whole clause be deleted—that is, subsections (1), (2), and (3). We submit that the clause is impracticable and to a large extent unnecessary. The clause reads, "In every hotel and restaurant the occupier shall at all times cause to be exhibited and maintained in some conspicuous place approved by an Inspector, and in such a position as to be easily read by the assistants, a notice containing the name and address of the Inspector of the district, and a statement of the half-holidays or holidays and working-hours of each shop-assistant." We submit that the conditions of the trade, as things are in this country to-day, render it absolutely impossible for employers to comply with these conditions. We submit also that when you have the requirements of section 10 complied with—where you give particular assistants certain work, wages, and hours—that is sufficient. We submit, further, that it is necessary, on account of the exigencies of the business, that an employer should not be asked to comply with the requirements of this section. With regard to section 10, the only alteration we require is in regard to subclause (b) and subsection (1). We think that in that respect the word "usual" should be inserted before the word "employee." They are engaged at different classes of work during the week, and to state a man's usual employment should be sufficient. This law will operate all over the Dominion, right even into the very backblocks, and where you have people as Inspectors who have not had the advantage of experience in the large offices or head offices they may be putting employers to a good deal of inconvenience if that word is not inserted. In the schedule the proposed amendment to section 6, subsection (3), provides "by inserting after the words 'special work' the words 'not being the actual sale of goods'; inserting after the words 'in any one year' the words 'nor on half-holiday'; and omitting the word 'such' in the second proviso." We ask for the deletion of the words "nor on any half-holiday" from the proposed amendment. It may seem a little hard that such a request is made, but I would point out that these extra working-hours cannot be worked unless with the proviso that we should have written consent of the Inspector, and there are times, such as in connection with a flood or fire, and it may be in connection with the drapery business in the very large centres, where it could not be manageable. We have not had one of these crises, but if we had had the like, what this Bill demands could not be attained. I would like to point out that it is not a question of the right to work employees on a half-holiday. Employers do not wish that there should not be strict inquiry by the Inspector, but there are times when it is necessary that the work should be done. I had an experience myself where work required to be done on a half-holiday: We had in Dunedin a pretty large wholesale produce-store, and I can recollect on two or three Wednesdays when we had at least a thousand cases of fruit dumped on the footpath just before 1 p.m. The Inspector had to report us, but even then Mr Seddon in the old days realized the position, and no proceedings were taken. It is just in a case of that kind that provisions of this sort are necessary. With regard to the amendment proposed in section 25, subsection (10) of the principal Act—"Nothing in this section shall entitle the occupier of a shop to employ his assistants beyond the hours provided for such assistants under this Act"—we take it that that amendment is proposed to defeat a decision by Mr Justice Denniston. In any case it would have a very ill effect on certain employers.

15. *The Chairman.*] What is the case?—It has been reported in the *Labour Journal*.

16. *Mr Luke.*] That is where a certain half-holiday had been agreed upon?—The hours had been fixed by request. Mr Justice Denniston decided that when, say, the drapers of a certain locality had got the right to remain open until late—if a requisition were made, that the assistants were entitled to work until late—on that particular evening. The Labour Department has always resented that decision very much, and I do not know that the employers, generally speaking, are desirous of having that right; but we do say and we ask that if a request of that sort is made to dispense with these ordinary regulations in regard to working-hours, we should have it. When the employer who works his shop with the members of his family can carry on the business along with them until after hours, why should not the other? It is not preventing business from being