

carried on, but it is only fair that those who have the larger business and the larger interests in the community should be allowed to keep their assistants at work while the shops are allowed to remain open so long as the hours any assistant is required to work do not exceed fifty-two in the week.

17 That would break the term of service?—It might mean an extra hand or two, but it is very important. We think, if the law permits a large number of shops—in regard to which you had evidence last year there were something like forty or fifty in Wellington—to be opened up till 9 o'clock at night, while the others were compelled to close, that it is not fair to the employers of those larger shops. But, while we ask that, my contention mainly is that other shops in the different trades should be compelled to close at a certain hour. We regard that as being the simplest way. Of course, there would be some opposition on the part of those who have the privilege at the present time of keeping open late, but still we think it is only fair. You take the drapers: their usual hour is 6, but the confectioners, fruiterers, and others would have to have later hours.

18. *Mr McLaren.*] You favour compulsory closing?—We say, if you will not give us the requirements we ask for, then we ask for compulsory closing.

19 *The Chairman.*] Mr Tregear wishes me to ask whether your federation has gone into the question of the hundreds of shops in the position, say, of Newtown in Wellington, Ponsonby in Auckland, Caversham in Dunedin, and other places, where nearly the whole business is done at night, and where simply one employee or the family alone is engaged at night. That is the class the principal opposition came from when we passed the original Act?—Newtown is a big place now, and there are pretty large businesses carried on there; but if you are going to allow a man who does not employ labour, or employs so little that he does not count, to remain open, then it is going to interfere to an unfair extent with the larger employer if you do not allow him to employ his assistants during the time the shops are allowed to remain open.

20. *Mr Luke.*] I take it that you would be satisfied that where a business employs assistants this Act should apply, but where it is a question of a widow or a man who is simply working with his own family without employing assistants, that it need not?—You would have to safeguard it by saying that it is a business in which purely the employer is engaged. There is one case in Cuba Street where four or five of the family are employed all day at other work, but work in the shop after hours when they come home at night.

21 *The Chairman.*] And work at other callings during the day?—Some of them.

22. *Mr Luke.*] There is one in Newtown where that sort of thing occurs, and it seems to me something abominable?—Personally, I think that large employers would not like the right to work at night. It means having shops open, and killing the early closing that has been in operation for so many years. I am certain that most of them would prefer early closing. In this case that we speak of there would have to be exemptions, but there would have to be great care taken. Where you have got one man with two or three of a family working at other callings, it is a cruel position. The proposed amendment to section 5 of the principal Act is the last thing that I have to mention. The section reads, "Nothing in this Act shall render the occupier of any shop liable to any penalty in respect of the employment, during the hours when the shop is required to be closed, of any shop-assistant in feeding and tending horses used in the business of the occupier." The alteration proposed is to omit all the words after the word 'employment,' and substitute "one hour per day in the case of any assistant feeding and tending horses used in the business of the occupier, but not exceeding one hour per day." I want to point out in connection with horse-driving that probably there is no class of work more completely controlled by Arbitration Court awards. We have those awards in connection with butchers, bakers, grocers, and practically all the trades. In some cases you have men with just a handful of a pony to look after, but the proposal would give him an hour. Another man has a horse and cart. Another man has perhaps two or three horses. Their conditions of employment vary, but in the great majority of cases they are covered by Arbitration Court awards. For instance, a man tending two or three horses will receive greater wages than those with smaller responsibilities, and the Court has found it necessary to leave the hours of work so many per week, excluding the time for tending horses. Any one who owns horses and employs drivers knows very well that one man will look after his one or two horses, as the case may be, quite capably in half the time of another. If you limit those men to one hour per day, that is not sufficient, generally speaking, for attendance upon horses. Then, on the other hand, you are going to render the employer liable for overtime for those attending on his horses. I submit that that is unnecessary, and that it is very inadvisable in any way to put that condition in when those restrictions are at present in force, and we ask that that alteration to section 50 should be deleted, and the matter left as it is at present; and leave the shop-hours as they are, and not to be affected by the attendance on horses. If you do, you must go into the question of what is a fair amount of time for the driver of one horse or of two horses to spend in charge of his team. You have got to go into the details of the question as the Arbitration Court did.

23. *The Chairman.*] With regard to the question of amalgamated holidays, I understand, of course, if the employee has to go off the premises for four days there is a saving of his board. Now, in clause 5 you ask that the words "or their board and lodging" be inserted. Is it found necessary when an employee goes away that another man should be put into his crib or bedroom?—Very necessary, when you have him away for a term of days like that. You would be compelled, in the general run of cases, to have somebody in his place.

24. *Mr McLaren.*] With regard to the matter of hours, without relation to wages, is it not a fact that the employees' union would not hear of accepting the New South Wales award?—We say it is quite insufficient to have shorter hours without taking into consideration the conditions that are associated with them; but even there they had to extend them from fifty-eight to sixty-three hours.