

90. *The Chairman.*] You suggested, Mr. McPherson, in answer to a question, that it would be better for a man to get a medical certificate every time he went off on condition that the sick-leave did not interfere with the holiday leave?—Yes. A supposititious case was put that if a man went off one day a month and I had him on my staff, what steps would I take to prevent that, and I said I would refer the matter to my District Officer, and I also said that in a case like that I would ask for a certificate if he made a rule of being off one day, in order to stamp out malingering.

91. But then under the present conditions—by “present conditions” I mean the forfeiture of holiday leave on account of sick-leave—you would not suggest a man should get a certificate every time?—No.

92. But if the Department reverted to the old conditions in which sick-leave did not interfere with annual leave, then you suggest the Department should protect itself by asking for a certificate every time a man went off?—Yes, that would be the suggestion.

93. You suggested that every time a man went off even if it were only for a day he should, in your opinion, be asked to furnish the Department with a certificate?—Yes, if I suspected him of being a malingeringer.

94. But not make it general?—No, sir.

95. Do you think it would be right to make it general on condition that the Department reverted to the old condition of things by which sick-leave did not interfere with holiday leave?—Well, it would be a very hard matter, because in an isolated country place you could not get the certificate. I answered that question in so far as it personally applied to myself, that if I had a man on my staff who went off regularly one day a month what would I do, and I said I would make him produce a certificate.

RICHARD WILLIAM McVILLY further examined. (No. 21.)

1. *The Chairman.*] You wish to give evidence on behalf of the Department in regard to Clauses 12 and 13?—Yes, sir. As to the statement in clause 12—“That it is provided by Regulation 55 of the Act that the General Manager may, at such times as in his opinion are convenient, grant to each officer leave of absence on pay for each continuous year’s service a total of two weeks”—so far as that is concerned, it is in accordance with the regulation. The question, I take it, that is before the Committee is not the sufficiency of these fourteen days’ leave, but the question of the right of the Department to deduct from the leave the time that members have been absent from duty sick while in receipt of full pay. Now, this question of sick-leave has been a burning one with the Department for a very long time. Originally, in fact I think as recently as 1894, the practice in the service was that members off duty on sick-leave were not paid. Where officers went off duty owing to sickness in those days the practice was for the officer to request the Department to pay him for the time he was off equivalent to any holidays that were due to him. When the Government resumed control of the Railways they discontinued this practice, and, as a concession to the staff, agreed to grant pay during sickness.

2. *Mr. Ross.*] Does this apply to a few days’ sickness or extended leave?—I am speaking of the question generally. Now, sir, it very early became apparent that unfair advantage was being taken to a greater or lesser extent of the concession given by the Department, and it was found that the number of relieving officers required to overtake and keep leave up to date was a constantly increasing one. From time to time the Department took up the matter of the arrears of annual leave. Complaints were also made by the officers themselves and by the institute, and they were not solitary complaints. Time after time warnings were issued by the Department. I told many of the men myself and pointed out distinctly to them where they were drifting and the inevitable result—I told them distinctly that the Department was aware of the fact that malingering was going on, although it was difficult to prove, and that unless officers themselves took the steps necessary to check it by bringing under the notice of the Department cases in which malingering did occur, they would force the Department into the position of having itself to take action that would be detrimental to those officers who were acting honestly and doing the square thing. The position, however, went from bad to worse. On looking into a complaint respecting arrears of leave in one district, a matter which we had been watching closely for several months, I eventually found that the leave was 1,600 days in arrears on that particular section, notwithstanding the fact that in regard to that section I had personally time and again uttered warnings.

3. How long ago was that?—1907 or 1908. Well, during an inspection by the head of the Department the matter was brought under his notice, and when he returned to Wellington he inquired what the position was. I told him and showed him what we were doing, and he said, “I have had complaints from this Station and that Station.” I showed him what had been done, and that the more men we put on relieving the worse the position became. I told the General Manager that definitely and showed him the papers. The arrears of leave on one section rose from 1,649 to 2,700 days, another section about 900 days, another 727, another 1,100, another 1,000—anything from 678 up to 2,700. Then we were faced with this position: we had to put out a large number of additional relieving officers. I think, speaking from memory, we lent—and had to lay down definitely that it was a loan, otherwise those men would have been mopped up—nine men the first time, and subsequently, I think, six, to one district. I am, of course, speaking of about four or five years ago, and I cannot say definitely to one or two men, but I will look the matter up and state definitely what the figures were. Well, matters did not get very much better. Finally I said, “Very well, the only one thing to do now is to advise officers that every day they are off sick will be deducted from their annual leave.” Then a change came over the scene, an improvement taking place. The leave, instead of getting in arrears, gradually began to get the other way. Then a regulation was gazetted, and within six months’ time after