

12. You remember that under the old Wellington award the Court had power to fix hours, notwithstanding the fifty-two-hour week? The grocers worked fifty-three hours per week at one time, did they not?—Yes, until the award ran out—for about a year, I think.

13. Then which do you think should be paramount, the Legislature that passes the Act or the Arbitration Court?—The Arbitration Court, certainly.

ROBERT ALFRED SCOTT examined. (No. 39.)

1. *The Chairman.*] What are you?—A grocer. I am managing the Wairarapa Farmers' Co-operative Association, Wellington. I wish to endorse the opinions that have been expressed by the previous speakers in reference most particularly to the overtime we require and our position with the carters. Coming to clause 4, subclause (2), certificate of correctness, I should like to give one very good reason why I think a certificate of correctness should be obtained from the employee. Probably some of you here will remember that some years ago there was a case in Wellington where a boy was employed by a grocer and the grocer was cited for breach of award, inasmuch as he had paid the youth the wages for age seventeen. His defence was that he was informed by the boy that his age was seventeen. The boy admitted in the box that he was nineteen years of age. He had informed the Inspector of this later on, and he confessed that he had misinformed his employer. The fault was as much his as the employer's. The employer was unfortunately fined, because the Magistrate was only there to administer the law. I think that is a sufficiently good reason for asking for a certificate of correctness. With regard to the question of attending to horses and the insertion in clause 55 of the provision that overtime shall be paid for such work when hours are exceeded, the Arbitration Court has dealt with our business the same as it has with the drivers' businesses, and has always given the opinion that attendance on horses should be thrown in. We find in our business that one man is much more expeditious in his attendance on horses than another, and, for another point, the employer has very little supervision over the man at the stable. It is very hard for him to say how long the man will be really employed in attending to the horses, or, in fact, to call upon him to do it any quicker. One man will take half an hour and another will take three-quarters of an hour, or claim it, at any rate, because he is away from the shop.

2. *Mr. Hindmarsh.*] Are you in favour of Saturday afternoon for the holiday or not?—We observe Saturday afternoon here. We are the only grocers who do.

3. You have not lost anything by it, I suppose?—No; it suits us.

4. *Mr. Okey.*] Do you believe in Mr. Hindmarsh's suggestion that you should be licensed to sell certain goods?—No, thanks.

5. *Mr. Pryor.*] You had experience of the grocery trade under the Arbitration Court awards when a proviso was in the Act similar to the one it is proposed to put in now—"Subject to any award of the Arbitration Court"?—Yes.

6. And when that was taken out and you were brought under the provisions of the Shops and Offices Act?—Yes.

7. You found a great clashing, did you not, as between the two—the legislation and the Arbitration Court award?—Yes. The Legislature apparently passed this measure rather hurriedly. They dealt with all businesses under the Shops and Offices Act—all businesses which could be called shops. The grocers came in along with the rest. They were working under an award, which was not the first award they had had, and it was very similar to the awards in Auckland, Dunedin, and Christchurch. It has already been stated that we had a great deal of latitude regarding overtime, and as a *quid pro quo* we gave a special holiday for it. That was all taken from us, but the holiday still remains. What we are particularly asking for now is not so much this special overtime allowance as that we shall be allowed to work overtime if we pay for it.

8. You will assure the Committee quite positively that the exigencies of your business absolutely demand that you shall do it, law or no law: is that the position?—That is about the position as far as the carters are concerned.

9. It is not only confined to the carters, is it?—No. We have gone to the Department the night before the holiday, and they have informed us that it was not special work under their reading of the Act.

10. Yet the requirements of your business were such that it had to be done?—Yes.

11. Have you, like others, been compelled to break the law in spite of your desire to obey it?—Yes.

12. *The Chairman.*] You were referring just now to the carters: how many horses does one man have to look after in your business?—Some of them look after one; some two.

13. How long would it take a man to look after two horses when he came in?—I do not know what may be the procedure elsewhere. Our particular procedure is that the men work together. There are several of them, and the first man to get in gets the beds down for all of them.

14. Would a man drive one or two horses?—There are two-horse teams and single carts.

15. Those horses want grooming when they come in?—They are merely given a rub down. It will not take the last man more than ten minutes. The first man will be longer.

16. *Mr. Wilkinson.*] I understand that you are an extensive employer in the grocery line: is that right?—That is so.

17. In regard to holidays, have you any arrangement with the men whereby they have a few days off during the year?—The employees all get a fortnight's holiday on full pay when they have been with us two years, but that is purely our own private arrangement. I know that other houses in the grocery trade in Wellington give holidays to their employees every year, and I do not think that sickness is deducted for anywhere in Wellington.