

for exemption on behalf of the picture-framers, and no application was made in regard to the rest of the work struck out, and that employer did not go before the Conciliation Council. There was already a complete agreement between the employers and the men in the whole of the Wellington Industrial District, and it was handed to the Court to be made into an award. One body of men were excluded from the operation of the award altogether, and in a case like that, where the Court penalizes workers who are anxious to take advantage of the Act, then the workers should be free to strike or do whatever they like to get their own terms from the employers. This Part VI of the Act proposed here does not provide for those people at all, except to bind them body and soul under these conditions. As I have suggested, Part VI should be embodied in the main Act if a square deal is to be given to the workers. As regards the secret ballot, I am very much in favour of that. It matters not to us who takes it, and the officials of the union would be very pleased if the Labour Department took the ballot for them.

9. *Hon. Mr. Massey.*] What about the suggestion that scrutineers should be appointed with the officers of the Department to act?—Yes, I agree that scrutineers should be allowed to be present at the opening of the ballot-papers, and was going to ask for that if the secret ballot was to stand. If that is done there could be no objection. Subclause (4) of clause 141 reads, "A proposal under this section that a strike shall take place shall not be deemed to be carried unless a majority of the persons entitled to vote on such proposal vote in favour thereof." I think that is wrong.

10. You see an objection to subclause (4)?—Yes. I take it that if the Labour Department took a ballot, sending ballot-papers to all the workers right throughout, that a majority of those who had voted should decide the matter.

11. What about subclause (5)?—That is the same as subclause (4). I think it should be a majority vote on each occasion. Every man is given the right to vote, and if he does not exercise his vote why penalize those who do? I have pointed out that there is an express disapproval on the part of our workers to putting Part VI through. The Government is coming forward and recognizing the "Red Feds" by putting this Bill through. I have been looking for a motive, and it struck me that the motive is to substitute it for the Arbitration Act.

12. *Mr. Davey.*] That is not the intention?—Then what is it done for, when the Government is coming forward and recognizing unregistered unions?

13. *Hon. Mr. Massey.*] These unregistered unions at the present moment can do what they like in the way of strikes. Well, this makes the law apply to them—that is to say, it compels them to go through certain forms before a strike can take place—notice must be given that the matter is referred to the Labour Dispute Committee, and there is a secret ballot?—Yes, but at the same time the employers are saying there shall not be unregistered unions, and you are coming forward and agreeing to them.

14. I am afraid there will always be unregistered unions?—But the marvellous part is that in Wellington they are being objected to and agreed to at the same time. There are one or two other matters that want fixing up. I had one or two amendments in connection with the rest of the Act, but we are not dealing with that. As the Labour Department is represented here I should like to say that between the Arbitration Court and the Labour Department the workers have serious trouble at all times. As far as the Labour Department is concerned, I asked the previous Minister of Labour for one small thing to be done, and if it is done it is going to save a lot of friction and trouble. The Labour Department's officers may be the best men in the world, but they are only laymen, as are our union officials, and we are just as capable of interpreting any section of the Act as they are. We have had some trouble with the Labour Department in the past, and the same old trouble is creeping in again, and that is that the Department will not take up cases unless they are forced to. They will not take up any cases unless they are sure of winning, and when we go to them with a case they say there has been no breach. I asked the last Minister of Labour if he would provide that before the Department refused to take a case that the union secretary, together with the officers of the Department, or the officers of the Department themselves, should submit the matter in dispute to the Crown Law Officers. The officers are there for the purpose, and if they consider there is no breach then any union secretary who thinks he knows more than the Crown Law Officers may take the case himself. I had to send during this last few weeks a case to the Department no fewer than four times before they would take action. They said there was no breach, but when the case was taken the employers were fined.

15. Would you mind giving us the names of the parties?—The Scoullar Company. There is one breach pending against them now, and the Department said there was no breach. It is always a handicap when we do go into Court, because the solicitor for the employer always throws up to us that the Department refused to take the case up. We have won practically every case in the past that we took to Court where the Department refused. If that concession was granted to us that before the Department refuses the union secretary be allowed to go along with the officers of the Department to the Crown Law Officers and state a case it would get over a lot of trouble. If the Crown Law Officer said there was no breach we would be prepared to take his decision, but we are not prepared to take the opinion of laymen when we know as much as they do.

16. *Mr. Clark.*] In connection with your statement about Part VI, do you think unregistered unions should not be legislated for in order to make them come to some agreement?—Absolutely No. If employers like to enter into agreements with them that is their funeral.

17. Would you be prepared to compel all unions to be registered under the Arbitration Act?—No, I leave that to the employers themselves. I do not think up to the present moment a lockout has ever been proved against any employer. It is impossible to prove that.

18. If a union is registered under the Act it could come out by dictation?—They do not come out by dictation.