

7. *Mr. Howard.*] If it is stated that your employees have expressed a desire to come under the Act would you say that that is an untruth?—I would not say that. Perhaps a small number of dissatisfied workers may have expressed such a desire.

8. *Mr. J. S. Dickson.*] So far as you know they have taken no steps to be brought under the Act?—No.

9. *Mr. S. G. Smith.*] Their rate of pay and conditions are better than they would probably be under an award?—Yes.

10. If they came under an award, what would probably have to be reduced?—The hours are right. We would have to reduce their pay.

11. The minimum rate of pay?—Yes.

12. But there is nothing to prevent you paying more?—Oh, no.

13. *Mr. Kellett.*] I understand there is no union in connection with the chartered-club employees?—None whatever.

14. *Mr. Potter.*] I suppose you realize, Mr. Atkins, that although you are only bound to pay the minimum award, the maximum invariably becomes the minimum?—We quite understand that.

15. You have met a good number of these employees: have they ever expressed an opinion that they are not desirous of coming under the Act?—They have.

16. Probably a few would?—Yes.

17. The majority are against it?—Yes.

18. *The Chairman.*] You are secretary of the Chartered Clubs Association. I suppose you are in touch with all the chartered clubs?—We keep in touch with them.

19. Are there any small clubs who may be contravening the Act in connection with pay and the hours of work?—I say without hesitation that they are not contravening the Act. Of course you cannot work these men strictly to certain hours.

20. In your opinion there is no necessity for the Act to be applied to the chartered clubs? The pay and working-conditions of the chartered clubs at the present time are superior to those which the Act provides for?—I am quite sure on that point.

21. *Hon. Sir W. H. Herries.*] You do not prevent a unionist from obtaining employment in the clubs: you would employ a member of the Hotel Workers' Union just the same as any one else?—Oh, yes.

22. *The Chairman.*] You do not discriminate?—Oh, no.

23. Do you trouble to ask whether they are unionists or non-unionists?—Generally an expression of opinion from the applicant will give that information.

F. W. ROWLEY examined. (No. 8.)

The Chairman: Mr. Rowley is the Secretary of the Labour Department. If any member of the Committee wishes to ask Mr. Rowley any questions he will be pleased to answer them.

1. *Hon. Sir W. H. Herries.*] I would like to ask Mr. Rowley's opinion about the 1911 Act?—So far as I can recollect, Judge Sim's statement was that unless there was an industrial association of employers as well as workers section 4 of the 1911 Act, which provides for a Dominion award, was impracticable of application, for the reason that it would be impossible to cite all the employers throughout the Dominion. As far as I can recollect that was the opinion he expressed. I do not see myself how that can make any difference. In consequence of the Judge's ruling it simply meant that each of the several unions had to cite the employers between them separately. They still had to cite all the individual employers, therefore I cannot see what difference it makes. I do not think the regulations were involved, because it would have been quite an easy matter to alter them.

2. Has not that section of the Act been put into force at all—have there been no applications made to the Court since that ruling was given?—There have been no Dominion awards. What he has done has been to make awards for the separate districts, after hearing the cases in the different districts, these awards being practically the same all over the Dominion. In point of fact he would make one award. Take the New Zealand woollen-mills employees, for instance. They filed an award in each district, although it was in effect a Dominion award.

3. *Mr. Potter.*] A distinction without a difference?—Yes.

4. *Hon. Sir W. H. Herries.*] It is really a fact that a Dominion award can be made now?—Yes, that is really the case.

5. Then no amendment is required?—Personally, I do not see that any amendment is required. I do not think that there is any need for an amendment.

6. *Mr. Howard.*] You will remember, Mr. Rowley, that under the original 1908 Act there was an organization whereby all the district industrial unions were brought together under the Trades and Labour Council. You know that the Act as it stands now prevented this, and consequently the Trades and Labour Council has been deregistered and broken up?—The Trades and Labour Council was registered as an industrial association of unions, and it was found that their organization was *ultra vires*, and we had to inform them to that effect.

7. Then, again, the Act itself prevented the local organizations from being linked up under the old Federation of Labour?—The Federation of Labour was never registered under the Act.

8. What I want to point out is that there is a desire on the part of a large section of labour in this Dominion to organize themselves within the limits of this Act, and that the Act itself has killed that chance of organization. It has prevented the Trades and Labour Council, and it has prevented the Federation of Labour, from organizing under the Act. Now, what I want to ask you is, do you not think that this Act should be strengthened by providing for these Dominion unions—are they not trying to strengthen the Act in this way by this Bill?—I am afraid I could not express an opinion on that matter.

9. *Mr. Kellett.*] There is only one question I would like to ask: Where there is an association of employers and an association of workers is it possible to get a Dominion award?—Yes; that is what Judge Sim stated.