

and Arbitration Act provisions similar to those contained in the present Labour Disputes Investigation Act for the taking of a secret ballot precedent to a strike or lockout.

(5) Repeal the Labour Disputes Investigation Act.

(6) Amend the section of the Arbitration Act dealing with strikes or lockouts as may be necessary in view of the foregoing proposals.

Summed up, the proposal amounts to a combination of the Arbitration Act and the Labour Disputes Investigation Act, retaining the best provisions of both. It would make this paper unduly long and cumbersome to set out in detail the various amendments which will be required to give effect to those proposals. If the principles be adopted, the details will not present any great difficulty.

Briefly the advantages which may be looked for if these proposals are adopted are :—

- (1) A decrease in the number of disputes filed.
- (2) An increase in the number of complete settlements arrived at by direct negotiation between the parties.
- (3) The restoration of the Court of Arbitration to the position it was originally intended to fill—that of an arbitrator in real disputes—instead of that of an industrial regulations factory.
- (4) A greater freedom of the parties in any particular industry to embody in an agreement provisions designed to meet special conditions peculiar to the industry.

On the other hand, a deadlock may be reached in some cases. However, this has happened during the last few years under the present law, and there is no reason to think that under the proposed system it would happen more frequently. Neither employers' assessors nor workers' assessors would accept lightly the responsibility of refusing to refer to dispute to the Court for settlement if serious industrial trouble were threatening.

In this paper a sincere attempt has been made to present an accurate statement of the effects of the Industrial Conciliation and Arbitration Act during the years of its working, neither ignoring nor exaggerating either its good points or bad points, and to offer constructive suggestions for its improvement. (*Applause.*)

Discussion on Paper.

Mr. Robinson : Mr. Chairman, I would like to ask Mr. Bishop this question : On page 128 of his paper he says, " Unless there is greater co-operation between labour and those directing it, resulting in greater production for the same cost, wages of labour and of superintendence must in the end be reduced." How does Mr. Bishop propose to increase the quantity of production without increasing wages ? Will he do it by intensifying production during the same working-hours, or by increasing the length of the working-day, or by improving the method of production, which is within the power of the employers only ? On the same page Mr. Bishop says that the cause of unemployment is the height of money wages in the United States and many other countries. If that is so, how does he account for the unemployment in Germany, Austria, Jugo-Slavia, Hungary, and Czecho-Slovakia, where money wages are low ? My third question is that Mr. Bishop advocates the abolition of compulsory arbitration. As he quoted with approval Lord Askwith on the failure of the voluntary system in England, how does he expect it to be successful here ?

Mr. Kennedy : Mr. Chairman, Mr. Bishop, on page 133, makes a suggestion that in the event of no settlement being arrived at by the Conciliation Council there can be no reference to the Court. I notice that he would still retain the penalties on the worker. What penalty does he suggest should be imposed on the employers' assessors who will not agree to a reference to the Court ? Then, on the same page he suggests the repeal of the Labour Disputes Investigation Act. What does he intend should be done with the agreements that are in existence under that Act as between the employers and workers unions—scrap them ? Then he suggests that a union convicted of a breach of the award or agreement should be deregistered. What penalty does Mr. Bishop suggest should go on to the employer who commits a breach of the award or agreement ?

Mr. Bloodworth : Mr. Chairman, there are one or two points that I suggest Mr. Bishop could correct for the sake of historical accuracy. On page 130, referring to the general strike in 1914, he says some building-trade workers in Auckland were involved in the strike, inferring that only the building-trade workers were on strike. He must know that all the workers were on strike, whether registered or not.

Mr. Bishop : It is not so recorded.

Mr. Bloodworth : On page 132 Mr. Bishop says, " Over 70 per cent. of the workers are in receipt of more than minimum rates." For the sake of historical accuracy he should say " were," and that would refer to only a very limited time, and that some years ago.

Mr. Bishop : I do not think it is right that members of the Conference should be allowed to make statements in connection with the papers. Anything said should be in the nature of questions.

The Chairman : I do not think we should take any exception to what Mr. Bloodworth has said.

Mr. Bloodworth : On page 131 Mr. Bishop says the results of the optional system in England should be an object-lesson to New Zealand. Yet the main suggestion contained in his paper, on page 133, clause 1, is a suggestion for an optional system of arbitration. Why point out that the English