

# Legislative Assembly.

Tuesday, 16th September, 1924.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

## QUESTION—RAILWAYS, DISMISSAL OF H. J. KNOX.

Mr. MARSHALL asked the Minister for Railways: Is it his intention to lay on the Table of the House all papers appertaining to the dismissal of H. J. Knox, railway employee, at Kalgoorlie, on 12th January, 1924?

The MINISTER FOR RAILWAYS replied: If it is so desired, there is no objection to these papers being laid on the Table of the House.

## BILLS (2)—FURTHER COMMITTEE REPORTS.

1. Noxious Weeds.
  2. Jury Act Amendment.
- Committee's further reports adopted.

## BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

*Second Reading.*

Debate resumed from 11th September.

Mr. THOMSON (Katanning) [4.37]: In introducing the Bill, the Minister for Works referred to the Royal Commission that had been appointed to deal with arbitration matters and which he had ordered to be withdrawn because the Labour Party knew what they wanted. That is one thing upon which I can congratulate the present Administration. They went to the people and not before them certain planks of their platform as part of their policy. They are certainly not allowing any long period to elapse before introducing the measures they desire. The Bill is a comprehensive one and, as pointed out by the Minister, it will not only affect every industry in Western Australia, but will reach into the homes and kitchens of the workers. If the Bill can be given effect to in accordance with the Minister's desires, then indeed shall we have arrived at the stage when industrial peace will reign supreme throughout the State. In the past—and I believe it will be so in the future, too—the legislation dealing with arbitration has been regarded as perfect in

theory. In practice, however, I regret to say that the general experience of employees and employers alike during the past few years has been such as to cause grave dissatisfaction. I recognise that the Minister, in introducing the Bill, has endeavoured to create better opportunities for industrial peace. Whether the Bill will achieve that objective is a totally different proposition. Everyone must admit that for years past the Arbitration Court has been a source of grave dissatisfaction to both employees and employers. The statement made by the member for West Perth (Mr. Davy) that 169 cases were awaiting a hearing and that the court was behind with the work, demonstrates that an improvement is required. I congratulate the Minister upon his honesty of purpose. No one in Western Australia has had a greater experience of the difficulties arising from the old Arbitration Act.

Hon. Sir James Mitchell: He has given other people a lot of trouble, too.

Mr. Lutey: And saved many a lot of trouble!

Mr. THOMSON: The Minister has embodied in the Bill something of practically every system of arbitration known throughout the world. I propose to deal with the various phases as I proceed. In my opinion the proposal to place all workers under the Crown within the jurisdiction of the Arbitration Court is a mistake. It is not right.

Hon. Sir James Mitchell: They are virtually there now.

Mr. THOMSON: That is so. There are some sections of the Government employees, however, that should not be permitted to come before the Arbitration Court. I would instance the police force. Probably there are other departments coming within the same category. We all regret the strike that took place when the civil servants left their work. I had a great deal of sympathy for them on that occasion, because for years they had been told that the state of the finances would not permit the Government to pay them their annual increments. Many civil servants gave the State loyal service, but while dissatisfied with the salaries they received, they recognised that the finances were such that they could not be paid the higher salaries they desired. When, however, Parliament increased the Parliamentary allowances to members by 33-1/3rd per cent., that action was like a red rag to a bull. The result was that the civil servants went on strike. It was a pity the service took such an extreme step. The police force comprises a body of men who are required to play a very important part in the government of the State. In the eyes of the bulk of the people they are the law, and they should not be compelled to adjust their grievances before the Arbitration Court. By permitting the whole of the employees of Government departments to come under the control of the Arbitration Court we are practically placing the Government of

the country in the hands of that court. Mr. Justice Northmore, when President of the Arbitration Court, practically classified the employees of the Railway Department. Without reflecting upon His Honour, I say it is impossible for a President to give a satisfactory decision affecting not only a large number of employees, but also the people throughout the State. When Mr. Seaddan was Minister for Railways a large increase of wages was given, and up went railway rates throughout the State. The department was in the happy position of being able to pass on the increase to the people living in the country districts. I assume that if the whole of the Government employees are permitted to come under the Arbitration Act, the appeal boards will be automatically wiped out. They cannot have two courts of appeal.

Mr. A. Wansbrough: The appeal board is only for punishment.

Mr. THOMSON: That may be so with regard to railway employees, but is not so with regard to civil servants and school teachers. I hope that the whole of the Government departments will not be brought under the jurisdiction of the court. It is proposed to amend the interpretation of "industrial matters" by providing that the court may give preferential employment, or may order the dismissal of persons not members of industrial unions. This is a very debatable point. Union members argue, and with a good deal of logic, that the unions have been responsible for securing increased wages, and that it is only fair every worker should be a member of a union. I wonder whether the workers realise the position in which they are placing themselves when they support the principle of preference to unionists. This is a form of compulsion. We boast of democracy and of our freedom, and yet in many instances men are not permitted to earn their bread and butter unless they carry a union ticket.

Mr. Lutey: You compel a man to pay his rates.

Mr. THOMSON: That is a totally different proposition.

Mr. Lutey: Not at all.

Mr. THOMSON: A union delegate may go on to a job and ask the men to show their union tickets, and the employer is informed politely, sometimes otherwise, that unless certain men join the union, the others will be called out.

Mr. Marshall: What does the Employers' Federation do to those who scab on them?

Mr. THOMSON: I do not know—

Mr. Marshall: I know you do not know. They stop his supplies immediately.

Mr. THOMSON: I do not know that they can debar a man from earning bread and butter for his wife and children.

Mr. Marshall: Bread and butter! You made an effort to reduce wages and take the butter off their bread.

Mr. THOMSON: I know a little more about working conditions than does the hon.

member. I have had the pleasure of being a member of a union.

Mr. Marshall: Then other unionists had no pleasure.

Mr. THOMSON: Let me inform the hon. member that I was compelled to join the union.

Mr. Marshall: I was right after all.

Mr. THOMSON: I was politely told by the foreman that if I did not join the union, I could not expect to keep my job.

Mr. Sleeman: You expected the union rate, though.

Mr. THOMSON: I was always worth more and was always able to get more. To embody this principle in the Act is not in the interests of the worker. It will be a dangerous weapon against the worker. We talk about freedom!

Mr. Corboy: There is no such thing. We are compelled to do all sorts of things.

Mr. THOMSON: But in many instances preference to unionists is pushed to extreme limits. A returned soldier was working on the Fremantle wharf when the unfortunate debacle took place. There was no compulsion in his case, but when half-a-dozen angry men surrounded him and asked whether he was going to work, it took a braver man than my friend, who had faced the Germans, to say he was going to work. Compulsion often has an injurious effect. By these means huge unions may be built up that eventually may prove detrimental.

Mr. Corboy: To whom?

Mr. THOMSON: To the men themselves.

Mr. Corboy: The mere fact of joining a union has never hurt any man.

Mr. THOMSON: I have always supported trades unionism, but when a man is compelled to join a union, he is likewise compelled to contribute to a political section without having any say in the matter. However, I do not wish to raise any ill-feeling; I merely want to point out some of the dangers. If the court feels justified in granting preference, by all means let it do so.

Mr. Panton: It says the court "may."

Mr. THOMSON: The court may do it to-day; why embody it in an Act?

Hon. Sir James Mitchell: "May" means "shall."

The Minister for Works: No, it does not.

The Minister for Lands: You do not believe in leaving it to the discretion of the court.

Mr. THOMSON: It should not be in the Act. I have great hopes of the new paragraph to be added to the interpretation of "industrial matters":—"What is fair and right in relation to any industrial matter, having regard to the interests of the persons immediately concerned and of the community as a whole." If the court can approach every question in the terms of that clause, very much good will be accomplished by the Act. But what is the position to-day? When arbitration was first introduced, no one was more en-

thusiastic about it than was I. I said, "We shall have no more strikes; we shall have industrial peace." But the court has raised a barrier between the employee and the employer. Suppose certain employees consider 15s. a day a reasonable rate and go to the court expecting to get it. The employers may feel that the men are entitled to 13s. The union, however, puts up an impossible proposition by asking for £1 while aiming at getting only 15s. Almost invariably the court decides to split the difference, irrespective of whether the industry can stand the additional impost.

The Minister for Lands: The employers do not put in less than they wish to pay! Both sides do that sort of thing.

Mr. THOMSON: It is easier for the employees to bring evidence in support of the £1 rate than it would be for the employers to go to the other extreme and advocate 10s. a day. The member for Menzies (Mr. Panton) said that by round table conferences, scores of disputes had been avoided. I am in favour of that practice every time. If the employer and employee can be brought together round the table, neither side will put up absurd claims, but will act fairly and reasonably and be much more likely to come together. With the Arbitration Court constituted as it is, it is more of a barrier between the parties, who cannot come together except by the process of the law. The employees claim that they want more wages and the employers that they cannot afford to pay them, and the judge is not allowed to exercise common-sense. I hope under this Bill he will be allowed discretion to say whether or not an industry can afford the demands that may be made upon it. It is argued that if an industry cannot pay the wages expected of it, it should go out of existence. That is not always economically sound. When dealing with primary industries, the Government should recognise that they cannot pass on the increase in wages, and should look into the question of providing a bonus to compensate for the additional burdens placed upon them by the court. Immediately a higher award is made in the building trade, all contractors make out their new contracts accordingly. The same thing applies in foundry, engineering, and other trades.

Hon. Sir James Mitchell: It affects the public.

Mr. THOMSON: I am leading up to that. All industries outside the primary industries are able to pass on the extra charge. When wages went up in the Railway Department the freights also went up.

Hon. Sir James Mitchell: That could not be helped.

Mr. THOMSON: I admit that. Automatically the higher wages are passed on to the public in most cases, with probably a percentage added, but not so in the case of primary industries. I hope the Minister will in this Bill exempt rural workers from its provisions. If he does not agree to that, the Government will have to take into con-

sideration the question of giving bonuses to primary industries seriously affected by the award of the court.

Hon. W. D. Johnson: Many agriculturists are paying the wages to-day and making a success of their farming. Others can do the same.

Mr. THOMSON: In Saturday's "West Australian" under the heading of "Fruit Advisory Board," the committee made out a case for the Prime Minister as a reason for his giving a bounty of 1s. 6d. per case on all exported apples. It was shown that in 1913 the cost per case of apples was 8s. 2½d., and in 1924 it was 12s. 11d. The figures were made up in this way—the cost of production ready for packing for export overseas in 1913 was 2s. 5d., and in 1924, 3s. 11d.; making cases, packing, packing material, local cartage, freights to export wharf, wharf charges at port of export in 1913 1s. 9½d., in 1924 2s. 5d.; other charges, including shipping, inspection of fruit, insurance, London charges, broker's commission, exchange, advertising fee in London, in 1913 3s. 11¾d., and in 1924 6s. 7¾d. In 1913 the orchard workers received 8s. a day, and the average price received per case of apples was 13s.; in 1923 the orchard workers received 12s. 9d. a day, and the average price per case of apples was 14s. Most of the increased charges are due to increased wages. In the making of cases labour is involved, also in packing, local cartage, railway freights to port of export, and wharfage charges at the port of export. In all these instances the increased wages granted by the court apply to a proportionate extent. Increased wages must mean increased cost.

The Minister for Lands: If the wages did not go up the men would have to starve.

Mr. THOMSON: I do not say I am in favour of a wage of 8s. a day, for no one could live upon that.

Hon. Sir James Mitchell: The employee was as well off then as he is now.

Mr. THOMSON: Yes, because the purchasing power of the sovereign has decreased. I merely wish to show that additional wages mean an additional impost upon our primary industries, and that our primary production also suffers because of the huge impost due to the Federal tariff.

The Minister for Lands: The Federal people stand four square, we are told, to the tariff.

Mr. THOMSON: As a private member I cannot move in this Bill anything to do with the granting of a bonus; that is for the Government to do.

The Minister for Lands: The Government could not grant a bonus.

Mr. THOMSON: The Government could furnish a fund whereby bonuses could be paid to these industries that are seriously affected by Arbitration Court awards. Where a local award seriously affected one of our industries, we might, as a State, afford that industry some assistance. The fruit indus-

try is of great value to Western Australia. The price which orchardists receive for their apples, to give one instance, is governed not by the local market but by the price obtainable on the London market, over which our growers have no control. In 1913 the receipts per case of apples averaged 13s. Since then the costs have increased practically 50 per cent., but the growers are now receiving only 1s. per case more. The business was profitable in 1913, but it is a losing proposition to-day.

The Minister for Lands: The local price for apples has gone up materially.

Mr. THOMSON: That is because of the shortage. If the Government will not agree to a clause exempting rural workers from this measure, I hope they will take some steps to protect industries which will be most seriously affected by arbitration awards. There is another phase of the Bill to which I object strongly. It is a great pity that the Government should seek, by this Bill, to bring domestic servants within the scope of the Arbitration Act. It is wrong to bring them under that Act, if only because one of the greatest difficulties experienced in private homes to-day is the obtaining of adequate domestic help. Our Education Department have perhaps not given the necessary attention to this aspect of our social life, and the same thing may be said of the State generally. Unfortunately the present position is that if a girl, upon leaving school, goes into an office or into a business, she is considered to be occupying a higher social plane than if she entered domestic service. Working in an office or in a business, she has certain hours to herself. Starting at 8 or 9 in the morning, she finishes at 5 or 6 in the evening, the rest of her time being her own. A great deal of the unwillingness of girls to enter domestic service arises from the restrictions imposed. Many housewives are to blame in that respect.

Mr. Marshall: That is the truest word you have said so far.

Mr. THOMSON: Again, many girls strongly object to certain conditions of domestic service. I hope, in particular, that steps will be taken to remedy the placing of the domestic help on a lower social plane than the girl who goes into business or into a factory. I trust the Minister will not insist upon the deletion of the exemption of domestic servants from the scope of the Arbitration Act. It has always been the boast of our race that an Englishman's house is his castle, and that no one has the right to enter an Englishman's home.

Mr. Lutev: Break the law and you will soon find out how that matter stands.

Mr. THOMSON: But a man may be giving his domestic help one of the most comfortable rooms in his house, and yet, under Clause 64 of this Bill, the secretary, or any person authorised by the president or secretary of the union, will have the

power of entry under the Shops and Factories Act. I really do not think the Minister for Works can have intended that that power should go so far. Certainly I would object strenuously to any union official having the right to come into my house for the purpose of seeing whether or not I am carrying out the conditions of an arbitration award. A man's home should be sacred from intrusion. It is the one place he claims to be his own, and it should be his own. A sticky-beak might be appointed the accredited representative of the union, and then he would have the right to walk into my home and demand to see the room which the domestic help, if I kept one, was occupying. He might also want to know the wages she was being paid, and so forth. From a factory point of view I have no objection to such inquiries, but I absolutely resent them as regards the private home.

Mr. Marshall: There are some homes no union secretary would ever go into.

Mr. THOMSON: We must deal with the Bill as we have it before us. Clause 8 proposes—

Mr. SPEAKER: The hon. member is not allowed to discuss clauses at this stage.

Mr. THOMSON: I am dealing only with the principle of the clause, which proposes to amend Section 47 of the principal Act. Under this Bill the president of the Arbitration Court may be appointed for a term of seven years, with an employees' representative and an employers' representative as at present. Voicing my own personal opinion, I consider that the employers' advocate and the employees' advocate who sit side by side with the president have proved failures. I would much prefer a single judge as president, with power to appoint assessors, if necessary, and also one or two deputy presidents if necessary. That single judge should be appointed for life, just as we appoint our Supreme Court judges, who are above the law unless they do something absolutely wrong. Parliament alone can dismiss a Supreme Court judge from his position. Now, the Arbitration Act deals with something more vital and more important to the community than any law dealing with criminality. A criminal act affects only the person immediately concerned. But this measure may kill many industries, and incidentally kill many people. Therefore I strongly favour a president appointed for life, with power to appoint assessors and one or two deputy presidents. Let hon. members bear in mind the powers that are being placed in the hands of the Arbitration Court; power of its own motion to deal with and determine all industrial matters, to prevent, settle, and determine all industrial disputes referred to it by the Minister, or by the parties, or as the result of conferences held under

the measure, and also power to determine from time to time the basic wage. These are indeed great powers to vest in a court. After all, our industries are to a large extent the life-blood of the State. If our industries are successful, our people are prosperous; but if, unfortunately, we should place too heavy burdens upon our industries, we shall find the State as a whole in the same disastrous position as obtained on the goldfields recently, when 20 per cent. of our best miners decided to proceed to other parts of the State, where they would be able to live under better conditions and obtain higher wages. I am conscious that that is an argument which may be thrown back upon me, and that I may be told, "You ought to pay wages sufficient to induce men to remain here." But if an industry cannot afford to pay the wages, I wonder whether it would not be wiser, in the interests of the State, to keep the industry going at a lower rate of wages, provided the people engaged in it are not being sacrificed too much.

Mr. Heron: The very mining companies that could not afford to pay the wages could afford to pay their directors £1,000 a year increase.

Mr. THOMSON: I am dealing only with the award made by the Arbitration Court.

Mr. Heron: The companies were very grieved because of the wages, but they increased the salaries of their directors.

Mr. THOMSON: I quite agree that that was a most remarkable action on the part of the companies, and assuredly I hold no brief for that kind of thing. However, just now I am dealing only with the Arbitration Act and this Bill. The State has no control over directors located in Melbourne. I believe the Minister for Works has made an honest endeavour to reach the desired objective so far as that can be done by legislation. He has sought to draft an Act which when put into operation will work equitably and justly. But, unfortunately, if we may judge from our experience, the employer can be made to pay every time. He has tangible assets, and if he is not complying with an arbitration award he can be fined a sum up to £500. But no court in the world can make men work if they do not want to; and that, to my mind, is the weakness of the industrial arbitration position.

Mr. Chesson: No court can compel a man to carry on an industry if he is not making a profit.

Mr. THOMSON: That is all right, but the positions are not parallel. The man who is constructing shops in Forrest Place to-day is doing so under contract. Let us assume that the Arbitration Court institutes a 44-hour week for his employees, and also increases their wages. Then the

contractor has to finish the job, though it may ruin him.

Mr. Panton: The building trade has 44 hours now.

Mr. THOMSON: Not all the employees in it. The contractor has to pay whatever wages may be awarded, even if they are raised 50 per cent.

Mr. Chesson: But you could have a clause in the contract to cover that.

Mr. THOMSON: I wish one could. Nobody can make an employee work if he does not want to. If any union decides that there is a dispute in existence, its members automatically cease work. If they do not, they will not have a very happy time in the union. That is economic compulsion in its worst form. I do not like it.

Mr. Marshall: The employer uses it to perfection.

Mr. THOMSON: I was never afraid of my boss.

Mr. Marshall: No, you could always talk him out of the argument.

Mr. THOMSON: We require to scrutinise the Bill to see that it does not place on our industries a greater impost than is being placed on industries in the Eastern States. The court has power to determine awards, and the employer is made to pay under a heavy penalty. No Act will ever be brought into existence to make the employee work. But plenty of men are compelled against their own judgment to join in strikes. The object of the Bill is to overcome such difficulties. The court is to have power to determine the basic wage. The Commonwealth Government cheerfully appointed a Royal Commission to do that. Some of the evidence submitted was astounding. From memory, I think one witness solemnly swore that a man should have half a dozen tooth brushes.

Mr. Lutey: Do you think he ought to have a family tooth brush?

The Minister for Works: That was per annum.

Mr. THOMSON: Yes, each man was to have half a dozen tooth brushes per annum. I merely quote that as a sample of the remarkable evidence taken.

Mr. Corboy: From personal experience, I should say that was somewhere near the mark.

Mr. THOMSON: Probably when the court comes to decide the basic wage we shall have similar evidence submitted again. If we could arrive at a reasonable basic wage, half our industrial troubles would be over. However, I do not see much hope of arriving at a basic wage that will be satisfactory to all concerned. That suggested by the Commonwealth Royal Commission was generally regarded as impossible. I hope the Arbitration Court will deal with the question from a practical point of view. In my district I have instances worth quoting: One man there has four or five youngsters, all tidily dressed. His wife and he, too, are neatly dressed.

He is paying for a worker's home, and he has enough money to occasionally take the youngsters to the pictures.

Mr. Lutey: You would not begrudge him that, would you?

Mr. THOMSON: No. On the other hand, another man down there has at least a couple of pounds per week more than the first man, and only one child. Yet his wife is not neatly dressed, nor is their home tidy, and I happen to know that they are in debt up to their necks. Now, how are we going to devise a basic wage that will equally suit both those men? The basis upon which the court has to fix the basic wage is a five-roomed cottage, and a man and his wife and three children living in a reasonable standard of comfort. In 1913 a four-roomed brick cottage could be built in my town for a trifle less than £400; to-day the same cottage would cost £560. What is the reason for the increased cost?

The Minister for Lands: Economic conditions brought about by the war.

Hon. Sir James Mitchell: High protection.

Mr. THOMSON: A large percentage of the increased cost is due solely to increased wages.

The Minister for Lands: Before the war a loaf of bread cost 3d., while to-day it costs 5½d.

Mr. THOMSON: In 1913 the price of bricks was considerably lower than it is to-day. Nobody will argue that the clay and the firewood have increased in value—at least, not before they are handled.

The Minister for Lands: Machinery adds to the cost of bricks.

Mr. THOMSON: But I am dealing with hand-made bricks.

Mr. Chesson: Before the war we could get wheat for much less than it costs to-day.

Mr. THOMSON: I will give the reason for the increased cost of wheat. However, I do not want the House to think I am in favour of low wages. The Bill will affect the well-being of every industry in the State, and I want to show some of the contributing causes of the increased cost of living.

Hon. Sir James Mitchell: There is the high protection.

Mr. THOMSON: That has not very much to do with the cost of a four-roomed cottage, beyond increasing the cost of living of the men employed in the erection of the cottage. The increased cost of the cottage is entirely due to increased wages throughout the many industries concerned in the building of the place. The man in the clay-hole at the brick works is receiving higher wages than before, and so, too, is the man cutting the firewood for the kiln. That is the reason why bricks have increased in price. The raw materials used do not cost any more than before. Nature herself has provided them. Therefore the increased cost is entirely due to increased wages. You can carry that argument right through the construction of any work, because where brick-

layers were receiving 14s. a day in 1913—I am merely quoting these figures from memory—to-day they are getting 25s. and 26s. I am using this illustration to prove that the increase in the cost of living in Western Australia is largely due to high wages and the existing tariff. To follow on with the argument, I am safe in saying with regard to a four-roomed house that 90 per cent. of the increased cost of building is due to the increased wages in the various industries.

Mr. Marshall: You know nothing about it.

Mr. THOMSON: The bricklayer, the plasterer, the plumber, the painter, and all the others have had increases from anything up to perhaps 35 or 40 per cent. I do not for a moment say that those people are not entitled to the increases; I am using the fact for the purpose of my argument.

The Minister for Works: And the locks for the doors that you paid 2s. 6d. for in 1913 now cost about 7s. 6d.

Mr. THOMSON: I will admit that the tariff has also had the effect of increasing cost in the manner suggested by the Minister.

Mr. E. B. Johnston: Jarrah has also gone up tremendously.

Mr. THOMSON: Yes, because wages at the mills have also gone up.

Mr. Wilson: And the tools of the men have gone up 200 per cent.

Mr. THOMSON: That is so. Railway freights have also increased by reason of the higher wages. I am trying to point out that we are following a vicious circle.

The Minister for Agriculture: Have profits increased?

Mr. THOMSON: No.

The Minister for Agriculture: Experience shows that if wages increase, profits also increase.

Mr. THOMSON: Unfortunately that has not been my experience. Reverting to a five-roomed house in a district like Katanning, that would cost about £635. What is causing me concern is the basis upon which the court will arrive at a decision. We know that a four-roomed house being erected in the Minister for Works' district costs £425.

The Minister for Lands: I got tenders for £420 and for lined houses.

Hon. Sir James Mitchell: We built hundreds at about that price.

Mr. THOMSON: I hope the Minister, when replying, will indicate what his idea is in regard to a five-roomed house. Workers' homes in certain parts of the State are being constructed more cheaply than in others, and we know also that there are places where it is possible to rent a four-roomed house, with a front and back verandah, for 12s. 6d. a week. If one wants to get somewhere near the middle of the city or near the town hall, what is the basis to be arrived at? That point will have to be defined.

Hon. S. W. Mungie: You do not suppose you can get a five-roomed weatherboard house in the metropolitan area for 12s. 6d.?

The Minister for Lands: You certainly will not get one near the town hall corner for that.

Mr. THOMSON: I am aware of that. It was merely a figure of speech on my part. But there must be a basis. Is it intended to take a mean average? It may be possible to produce instances where a man can get a five-roomed weatherboard house for 15s. a week. If we adopt that as an average, it will be a reasonable basis on which to work and on which to build up a basic wage. Regarding the basic wage—I regret the Treasurer is not in his place to-day—we can take as a basis a man, his wife, and three children, and build on that. At the present time a great number of people, many of whom are single, escape taxation. I know that this is outside the scope of the Bill, but the Government should take into consideration the fact that a single man, or a single woman, living in a boarding-house should be compelled to pay a higher rate of taxation. Once we arrive at a basic wage, I honestly believe that a lot of our troubles will be over. From time to time the court should revise the basic wage. It should come up for review twice a year. That would be fair and equitable. The employers would know for at least six months what the wages were that they would have to pay. The proposal would cut both ways because, as the purchasing value of the sovereign increased, so would wages automatically be reduced, and of course, as the purchasing power of the sovereign decreased, so would the wages go up. The reviewing of the basic wage, say twice yearly, would have the effect of stabilising many industries, and generally make the position for employers and employees alike much more satisfactory. In regard to industrial boards, inquiries are conducted and an award is made. I believe they will do good work, but I sincerely trust that they will work on sound and well-defined lines. In the Eastern States each board sets out to make a special award for itself. The result is chaos. Say that the industry in which I am interested has just had an award from a board, and fixes the rate of wages to be paid. The bootmakers come along and get another award which upsets mine. I am certainly dissatisfied. Therefore I hope it will be provided that the judge will be empowered to declare what is the basic wage upon which the awards shall be made. If, then, we get a continuity of an award, good will result from the appointment of industrial boards. There is one phase of the industrial boards I would like to touch on. It sets out that these boards must not divulge trade secrets, the profit or losses of employers, the financial position of any employer, or a witness, and the penalty provided is a sum not to exceed £500. This provision is wise, but I do hope that the Government, or the court, when they are ap-

pointing the board, will see that the members are men who will be in the position to pay the penalty as prescribed if they break the oath. It will be very serious for the employers if, having divulged all their trade secrets, financial transactions and so forth to the board, one member of that body should make those details known. The mere imposition of a fine of £500 on that individual would not recompense the employer whose business affairs had been divulged.

Mr. Marshall: Give us something more about that! What are you afraid of?

Mr. E. B. Johnston: Not of you!

Mr. THOMSON: I am certainly not afraid that the hon. member interjecting will ever be asked to sit on any of these boards. I am not worrying about him. The matter is of serious importance. The Government have recognised the necessity for safeguarding against this happening because they have provided for the penalty of £500. That penalty, however, will not be worth a snap of the fingers unless the Government select men for positions on the board who will be able to pay the penalty should they divulge trade secrets.

Hon. Sir James Mitchell: We want a penalty of £500 or three months imprisonment, or something like that.

Mr. Panton: In all voluntary conferences we have held with employers, statements have been made in confidence and I have known of no complaint of any information having been divulged.

Mr. THOMSON: That may be so, but we are dealing with legislation now. It is patent that the Government themselves recognise the seriousness of the position. We should have some safeguard regarding the men who are to be appointed. Men of straw who will not be able to pay the penalty if they break their oaths, should not be appointed to these positions. The suggestion of the Leader of the Opposition might meet the position.

Mr. E. B. Johnston: A bond could be put up.

Mr. THOMSON: Yes, that is so. It may be said that we are being loaded up with boards of various descriptions, but I recognise that the Minister is sincere in his desire to overcome the difficulties that have been experienced in the past. He is able to appreciate what those difficulties are in view of his one-time capacity as secretary of the Trades Hall. Probably, too, the Minister may have created difficulties for others.

The Minister for Works: I think I had to face the greater difficulties.

Mr. THOMSON: I do not know that we will have any opportunity to alter the Bill in this Chamber, if we are to judge by our experiences when dealing with other Bills so far. In the light of that experience we will not be permitted to dot an "i" or cross a "t."

Mr. E. B. Johnston: The Minister may possibly exempt the agricultural industry for us.

Mr. THOMSON: Next we come to the demarcation boards that are to be appointed. The creation of those boards may relieve the court of considerable difficulties. Nevertheless I realise the further difficulties that are likely to be experienced as the result of this proposal. As the Minister pointed out regarding the handling of galvanised iron, there was a dispute as to whether those engaged upon the work should be plumbers or carpenters. A certain amount of discretion will have to be used. When I first entered Parliament in 1914, the then member for West Perth (Mr. Eben Allen) asked me if I had any knowledge of the value of sewerage work. I told him that I had a certain amount of practical knowledge. He told me that a widow lived in his electorate who had been charged a sum that he regarded as outrageous, for some sewerage connections carried out departmentally. I inspected the work and made up what I considered was a reasonable estimate. It must be borne in mind that the Sewerage Department at that time carried out the installations in order to help people who were in poor circumstances who could not pay cash to a private contractor to do the work. The result of this policy was that it cost about four or five times what a private licensed plumber would have charged to do the job. I asked a friend who was a licensed plumber to give me an estimate of what this particular job should have cost and our estimates came to within a few shillings. I dealt with the matter in Parliament and later was introduced to an inspector of the Sewerage Department, who remarked that I had criticised his department severely. I replied, "I did and you jolly well deserved it." The inspector said, "If you knew the difficulties we have to contend with, you would realise that the fault is not ours." The department realised that the charges were outrageous but he explained to me why they mounted up. He said, "If you were doing that work yourself and you wanted to punch a hole through the wall, you would do it. We cannot do so. We have to get a bricklayer, who may take only five minutes over the job. According to the union rules, however, the bricklayer must do that job."

The Minister for Lands: I would not believe any inspector who made that statement. I don't give a damn who he is.

Mr. Chesson: That is absurd.

Mr. Panton: The statement certainly is absurd.

Mr. THOMSON: That was what the inspector told me. Contractors had not the same difficulty.

The Minister for Works: You can depend upon it, that whatever applied to the department would apply to the contractor too.

Mr. THOMSON: No.

The Minister for Works: I don't believe there is a word of truth in what the inspector told you.

Mr. Chesson: That would not happen on any job if I were supervising it.

The Minister for Lands: If you wanted to cut a hole in a pipe, I suppose you would require a plumber.

Mr. THOMSON: Yes.

The Minister for Lands: I know that is not done in the Sewerage Department.

Mr. THOMSON: I have known instances where plasterers had to be brought in to do work that a carpenter could have done. I know these boards will be required at times, but I hope that common sense will be used. The Minister, of course, will say that that is what they intend.

Hon. Sir James Mitchell: But who will be the judge of what is common sense?

Mr. A. Wansbrough: Is the man you referred to in the Sewerage Department still?

Mr. THOMSON: No!

Mr. Marshall: No wonder!

Mr. THOMSON: There is a certain class of work that I would put a carpenter on to do and I have been told that I should have engaged plasterers.

The Minister for Lands: I was connected with the carpentry trade until I became a member of Parliament. I have never heard of such things happening as you have mentioned.

Mr. THOMSON: I can bring plenty of instances to prove my statement. The demarcation board will probably have to decide whether a carpenter or a plumber will have to put on sheets of galvanised iron, and whether a man who has to knock a hole through a wall will have to be a plumber or a bricklayer or someone else. Whatever may be the function of the board, I can see a lot of trouble ahead. Then again the boards of reference are to be constituted by an equal number of employers and employees. I presume the board will interpret matters arising out of the award. I do not know that such boards are absolutely necessary. With all these different boards considerable expense will be incurred, for the members of the board will require to be paid. The result will be that arbitration will be more costly in the future than it has been in the past.

The Minister for Lands: If matters arose out of a Commonwealth award, would it not be better to have a board here to decide the point rather than to proceed to Melbourne to get an interpretation?

Mr. THOMSON: Yes.

The Minister for Lands: Would it not be better to have a board at Albany to do the same thing within the State?

Mr. THOMSON: I am not arguing that point of view.

Mr. Panton: Boards will be appointed only when necessary.

Mr. THOMSON: I was under the impression that industrial courts would be asked to deal with and also to make awards.



The Minister for Works: Boards of reference will deal with matters arising out of awards.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. THOMSON: I do not know whether the board of reference will be a paid body, but there seems to be a danger of getting a surfeit of boards. We can hardly expect members of the board to work for nothing. While I am in accord with many of the provisions of the Bill that indicate an honest endeavour to make the arbitration law more workable, I am wondering whether the measure will not break down because of the immensity of its many ramifications. I strongly favour conciliation in preference to arbitration. Canada provides an object lesson in this respect. A constituent of mine wrote to the Canadian Minister for Labour, and received a reply dated 28th February, 1924, in the course of which he said:—

I am enclosing a copy of the Industrial Disputes Investigation Act, 1907, the Canadian statute bearing on these matters, in the form as amended to date. The essence of the legislation is the provision that in disputes arising in connection with mines or public utility industries, no strike or lockout may be lawfully declared until the dispute involved has been dealt with by a board of conciliation and investigation.

I hope we shall be able to get a similar provision inserted in this measure. It should be provided that no strike or lockout shall take place in any industry vital to the State before the dispute has been dealt with by a board of conciliation.

Mr. Pantou: The court will have the right to step in.

Mr. THOMSON: A section of waterside workers at Fremantle last week were offered 3s. 10d. an hour to work a cargo of sulphur, a rate considerably above the award pay, but they refused to accept it. No section of industry should be held up by job control. I believe labour leaders are very much opposed to this sort of thing. The hold-up at Fremantle must have involved the ship-owner in considerable cost. Eventually the men were paid 5s. per hour.

Mr. Pantou: They had received 4s. an hour previously for a sulphur cargo.

Mr. THOMSON: Yes, but when a ship is held up in that way, the port gets a bad name. If the work is disagreeable, as no doubt it is, means should be found to make it more agreeable. The Canadian Minister for Labour added:—

Boards are usually established on an application from one of the parties to a dispute; in the great majority of cases the application proceeds from the employees. A board of conciliation and investigation consists of three members, one appointed by each of the two parties to the dispute, the third member, who is chairman, being secured if possible by

joint recommendation of the two members first appointed. Failing a joint recommendation the chairman is appointed by the Minister for Labour. There is also provision for the Minister to appoint a member for either of the parties to a dispute who fails or neglects to recommend a board member for appointment within the time allowed by the statute. The findings of a board are not compulsory, but the net effect of the operations of the statute is that, either by acceptance of the findings of a board of conciliation and investigation or otherwise, the danger of an industrial dispute developing into a strike passes away as a result of the inquiry. . . . Down to the close of the calendar year 1923 the number of disputes referred under the provisions of the statute was 614. Boards of conciliation and investigation were established in 440 cases, the disputes involved in remaining cases either being settled by mediation on the part of the departmental officials, or it was found that the disputes did not come within the provisions of the statute. Of the 614 disputes so referred, and as to each of which it had been declared on oath that a strike or lockout was believed to be impending, the strike or lockout was averted or ended in all save 37 cases.

That is a very satisfactory record, and I hope the Minister will accept an amendment on the lines I have indicated.

Mr. Pantou: This Bill gives the Minister power to intervene when there is a possibility of a dispute.

Mr. THOMSON: Yes, but it will not be compulsory for the parties to have a conference. We want to avoid strikes from the point of view of both the employers and the employees.

The Minister for Lands: Your proposal would legalise strikes.

Mr. THOMSON: When a strike occurs, no matter which side wins, it leaves behind a certain amount of bitterness. If we can possibly avoid such bitterness, we should do so. If the parties can be brought to reason together, they are more likely to maintain industrial peace than if subjected to any legal process.

Mr. Pantou: I think the Minister or the president has the right to take a case to the court in the event of a dispute.

Mr. THOMSON: That right is provided for, but I do not think it is compulsory, before a lockout or strike occurs, for the parties to discuss the dispute before a board of conciliation.

Mr. Pantou: That is the intention, and I think it is provided for.

Mr. THOMSON: Very often the intention is quite different from the interpretation of the court.

The Minister for Lands: Our law does not legalise strikes; your proposal would.

Mr. THOMSON: Unfortunately we have had too many strikes.

The Minister for Lands: Not many in comparison with other parts of the world.

Mr. THOMSON: If this measure will bring industrial peace, it will be welcomed alike by employers and employees. I am not condemning the Bill. Of course we cannot do more than make suggestions, which the Minister may or may not graciously accept. I do not expect to secure many amendments, but if we are successful in one or two directions I shall feel that the time I have spent upon it has not been wasted. Magistrates are to be appointed to see that the Act is enforced, and fines may be imposed up to £500. That is the unfair part of the Bill. There may be zealous trade union secretaries going about to see that the various awards are carried out, and some man may unwittingly break the law and be fined. I am not aware of any fine having been imposed upon a union.

Mr. Panton: Yes, one union was fined £50.

Mr. Lindsay: Did it pay?

Mr. Panton: The Labour Government saw to that.

The Minister for Works: It was for expenses.

Mr. THOMSON: The maximum allowance for expenses is £10. It is a fallacy to impose a fine of this sort upon an individual. No employer would desire to see his employee put into gaol because he could not pay £10. If that were done our gaols would soon be overflowing.

The Minister for Works: And the gaolers would go on strike.

Mr. THOMSON: Certain sections of the community ought to be kept altogether outside industrial disputes. Some time ago there was a debate in this House concerning the iniquitous action of a gentleman, who was president of a certain organisation. He fought the Railway Department over some demurrage that was charged upon wool that had been held up. There was in existence an award governing the industry, and this had some three months to run. Just prior to the wool sale the union made a certain demand upon the employers, who refused to accede to it. The trouble that ensued meant that the wool was not unloaded from the trucks, and huge demurrage was piled up against the owners of the wool, who had no say in the dispute. The employers knew nothing about the dispute except that the employees said "Pay up or we will hold up your wool." In a case like that a fine should have been imposed.

The Minister for Lands: Was not the demurrage knocked off?

Mr. THOMSON: Some of it was.

Mr. Panton: They had an agreement, not an award.

Mr. THOMSON: If the employers had desired to reduce wages before the termination of the agreement I could have understood the action of the men. As it was, their action meant a loss of thousands of

pounds to the State. The wool missed the sale, and before the next sale came on there was a slump in price. Invariably when an award suits some sections of industrial workers they accept it, and when it does not they refuse to accept it.

Mr. Heron: The employers are just the same. They simply close down.

Mr. THOMSON: The employers can be compelled to pay.

Mr. Panton: How many cases can you quote of unions having refused to accept an award?

Mr. THOMSON: There have been several cases. I hope the conciliation committees will be appointed upon a basis laid down by the court, so that there may be continuity in the awards. Some time ago a select committee was appointed to deal with the apprenticeship question. I presume it is the intention of the Government that apprentices shall be indentured to the Arbitration Court or to the board, which in turn will say to the employers, "If you do not take this boy we must impose upon you a penalty of £100."

The Minister for Works: Unless some good reason is shown.

Mr. THOMSON: I am in sympathy with the idea of giving boys an opportunity to learn a trade, and with the Government in the desire to abolish the payment of premiums. The unions are not altogether blameless in this matter. The provisions of this Bill appear to be very drastic. In certain trades there are men who have never served their time, but who are often better tradesmen than those who have. It is proposed that no person shall be employed or become an apprentice in the building trade other than as prescribed in the clause and the regulations. This will impose a hardship upon many people. A man may have acted as labourer to a plasterer, and ultimately have become a good plasterer himself. The same thing applies in other trades. But under the provisions of the Bill such a man would be fined. If a handyman is trying to improve himself, it only needs one tradesman to object, saying, "You are not going to learn your trade here," or the union secretary might contend that the man, if he does only a little of the work of a tradesman, should be paid a tradesman's wage. The clause is somewhat severe. Again, from the technical instruction point of view, the whole of the technical knowledge which the apprentice has to gain is to be gained at the employer's expense.

The Minister for Lands: Who will get the benefit of it?

Mr. THOMSON: That is all right.

The Minister for Lands: Everything is "all right" whenever you get an inter-sec-

tion. Mr. THOMSON: The Bill throws the entire responsibility on the employer, none whatever falling on the apprentice. If an employer refuses or neglects to take an ap-

prentice when ordered by the board to do so, he is liable to a fine of £100.

The Minister for Lands: That is if the employer could do with an apprentice.

Mr. THOMSON: If in the opinion of the examiners the apprentice has not made satisfactory progress, the board have the right to say that the apprentice shall have more instruction at the technical school in the employer's time.

The Minister for Lands: That has been provided in every part of the world, and is all right.

Hon. Sir James Mitchell: Not in every part of the world.

Mr. THOMSON: It is too drastic. In the past the unions have had a hard and fast rule that there shall be one apprentice to three tradesmen. In my opinion the unions can with safety accept the ratio of one man one boy; and let us remember that it is our own boys we are dealing with.

Mr. Panton: Under that arrangement, who is going to teach the boy?

Mr. THOMSON: If a boy is put under the charge of a man, the latter, if he is an average tradesman, would take an interest in the boy. On the other hand, with one boy among three tradesmen, the boy belongs to nobody.

The Minister for Lands: If the tradesman does not do his quantity of work, he will get the sack.

Mr. THOMSON: It is a very poor boy that cannot earn the pay prescribed for him.

The Minister for Lands: I am speaking of the tradesman, not of the apprentice.

Mr. THOMSON: A boy should be of great assistance to a bricklayer, for instance. Taking the matter on the law of averages, the general run of employer is a fair and reasonable man.

Mr. Panton: How do you account for America and Germany having one apprentice to five tradesmen?

Mr. THOMSON: I am arguing on my own personal experience. One to five is ridiculous. I have been the means of turning out a few tradesmen who to-day are earning good wages. The bulk of those who at present are learning trades in Western Australia are learning them in the country towns, and not in the metropolitan area. However, it is too drastic to throw the whole responsibility on the employer, and that provision should be amended. I now come to a contentious question. The member for Menzies (Mr. Panton), speaking last Thursday, said that one of the main reasons why Labour was returned to power was that members opposite had made the 44-hour week a burning question. I do not wish to be considered offensive in saying that that statement of the hon. member is absolutely wrong. In my opinion the question of the 44-hour week did not sway one elector.

Mr. Panton: It woke up the electors.

Mr. THOMSON: The explanation of the political turn-over was the unfortunate swing of the pendulum. There had been a National Government for years, and the people began to think it was time the country had a change. In the metropolitan area some seats were swayed by the question of water supply. At all events, the inadequate water supply tended very much towards a change of representation in some city electorates. Now we come to the goldfields. My friends opposite know that the last award dealing with the gold-mining industry affected the goldfields elections materially. There was no hope of capturing a goldfields seat for the Nationalists. Generally speaking, the people were dissatisfied with the Administration then occupying the Treasury benches.

Hon. Sir James Mitchell: It was the Country Party split that caused the change.

Mr. THOMSON: No. The hon. gentleman interjecting put himself out.

Mr. Marshall: He didn't even reply to your letter.

Mr. THOMSON: He did reply to it, three years ago.

Mr. Holman: And you wrote again, didn't you?

Mr. THOMSON: I do not agree that the 44-hour week was a question that swung the last election. Our friends opposite are not entitled to regard the 44-hour week as a mandate from the country. Moreover, the pendulum will swing back, and our friends now on the Ministerial side will return to the seats we now occupy.

Mr. Holman: What are your chances on the next turn-over?

Mr. THOMSON: I am not worrying about that at all. I do not know how many pages of "Hansard" the member for Menzies filled with instances of the 44-hour week being in operation. He quoted multitudinous figures to show the progress made by Australia in her manufactures and other industries as compared with other countries which are working from 50 to 60 hours per week. Then the hon. member urged members when replying to him to quote statistics that would controvert his argument. I shall not cite statistics, but common sense. I will not insult the men who are working for me by saying that they can do more work in 44 hours than they are doing in 48.

Mr. Holman: That would not be an insult.

Mr. THOMSON: : It would be an accusation of downright loafing.

Mr. Holman: What nonsense!

Mr. THOMSON: I speak of what I know. If I were to state from a public platform that in my opinion my employees could do more work in 44 hours than they are doing in 48, I would be accusing them of going slow, of loafing. We are to reduce hours from 48 to 44 per week, or by one-twelfth. Let us deal with things from a common-sense point of view. We have in the House members who have been in the Railway De-

partment. Will they tell me that in that department more work can be done in 44 hours than is done in 48? The railway locomotives run at a given speed, and certainly cannot go farther in 44 hours than they do in 48. Some time ago a 44-hour week was introduced in the Midland Junction workshops. Later I met two men from those shops at Albany. To one I said I was pleased to know that he was going to do as much in 44 hours as he had been doing in 48. "Weel, mon," he said, "they do say so." Apparently for his own part he had his Scottish doubts about it. In the Midland Junction workshops we have modern machinery working at a given speed. How absurd, then, to say that in stopping those machines for one-twelfth of the customary working hours we shall not be reducing the output! No one can convince me that in stopping for four hours per week the machines I have I shall not lose some of their output. So, too, in respect of the capacity of carpenters, of bricklayers, of plumbers, and of shearers.

The Minister for Railways: Shearing is where a man does knock himself out. It is piece-work.

Mr. THOMSON: I admit that. But will any man tell me that a farmer working his machinery only 44 hours instead of 48 will get as good results as before?

The Minister for Lands: Yes, because he might then keep his machinery fully employed.

Mr. THOMSON: He is doing that now. Two brothers of whom I know, bought a tractor and worked it an average of 19 hours a day so as to get in the maximum of crop. I assume that if the hours are fixed at 44 weekly, the Government will direct the Minister for Agriculture to see that wheat and oats and other cereals grow only 44 hours per week.

Mr. Pantou: Until now I thought you were trying to talk common sense.

Mr. THOMSON: There are seasons in which men have to work almost continuously in order to get their crops off. If we are going to insist upon a 44-hour week in agricultural production, we shall be placing on the industry a burden it cannot bear. Then take the Commonwealth line of steamers: Can anyone tell me they will travel as far in 44 hours as they travel in 48? The question is whether we as a State can afford this 44-hour week. We are told that it has been introduced in other places. In any case, if we are to have it introduced here, it should be done by order of the court, not by Parliament. In Western Australia in 1922 the wages paid for manufacturing processes totalled £2,870,567. Take one-twelfth off that, and we find that by adopting the 44-hour week we are placing on the cost of manufacturing goods in Western Australia no less an impost than £239,214.

Mr. Pantou: But statistics have not proved that. Statistics prove that during

1922-23, when the 44-hour week obtained practically all over the Commonwealth, the output increased.

Mr. THOMSON: I am quoting the actual wages paid in Western Australia.

The Minister for Railways: You are treating men as machines.

Mr. THOMSON: No, I am not. However, I do not know that a machine worked only 44 hours instead of 48, can give the output it would give in the longer period.

The Minister for Railways: You are arguing that it does not matter what sort of workman is running the machine.

Mr. THOMSON: Many machines are self-contained and automatic. The output of sawmilling machinery is, to a great extent, governed by the capacity of the machines.

Mr. Holman: But you are arguing that the capacity of the machines, not of the men, governs the output.

Mr. THOMSON: What a machine is capable of doing in 48 hours, it cannot do in 44. If on the 44-hour week being agreed to, the Minister will not accept a proviso that the rural workers be excluded from the provisions of the Bill, I trust the Government will provide means for paying a bounty on the charge that will be levied on primary production. In the Eastern States any manufacturer who finds he cannot manufacture an article and sell it at the price of the imported article, asks the Tariff Board to impose a dumping duty, and straightway the dumping duty goes on. Virtually, all our secondary industries can pass on any charge levied upon them. It does not matter to them what wages are paid, for they can pass the cost on to the public. But the primary producer cannot do that. I hope the House will not agree to the 44-hour week. It is wrong in principle that the House should pass such legislation. Moreover, the 44-hour week is economically unsound, and will place an undue burden on the industries of the State. It has been contended that we should support the establishment of secondary industries. But if we are to bring in extraordinary legislation imposing what might be termed a super tax by the decree that nobody shall work more than 44 hours per week, we certainly will not encourage capitalists to come here. Already we drive them away by taxation. In Victoria an income of £6,000 pays a tax of 1s. 6d., whereas in this State it pays 4s. 7d. I commend the Minister for his honesty of purpose, but I am afraid that he and some of his people are viewing arbitration from the side of the employees only. Of course, I do not blame them for that, though I think we should view the position from the broader aspect. If we introduce 44 hours, what will be the result on industry? There are clauses in the Bill of which I entirely approve; there are others to which I am opposed. I have no intention of opposing the second reading of the Bill; it is a comprehensive measure and is one for

which a great deal can be said in its favour, but there are phases to which I strongly object.

Mr. SAMPSON (Swan) [8.32]: I realise that industrial difficulties are world-wide and that those difficulties have existed from the earliest time. In the elucidation of those difficulties, arbitration has undoubtedly done something, and there are many that believe arbitration will ultimately be the sole deciding factor in bringing about industrial peace. Difficulties have been in existence right down the ages, and I can recall having been told that the first industrial difficulty occurred in Egypt when the Israelites were expected to make bricks without straw.

Mr. Taylor: I was there at the time.

Mr. Marshall: From your general appearance, I do not disbelieve you.

Mr. SAMPSON: As has already been said, the Minister has introduced an important measure which, like the curate's egg, is good in parts. It would be very improper to say that the Bill would achieve its purpose. I am hopeful, however, that in Committee it will be so altered as to make it of considerable utility to employers and employees alike. Necessary amendments must be brought about, and I am sure the Minister himself would be surprised if the Bill went through in an unaltered form. The great difficulty experienced in the past has been in regard to delays in approaching the court. Even today the trouble is that the Arbitration Court judge is not engaged entirely on the work of that court, and as a consequence the work there has become congested. This has been a great disappointment to both employers and employees, because no industry can flourish if dissatisfaction exists. We do require that the judge of the Arbitration Court shall be employed full time on arbitration work, and we might consider the advisableness of appointing a deputy president, or even more than one, so that disputes may be dealt with promptly.

Mr. Marshall: Shall we put him on 48 hours?

Mr. SAMPSON: I will have a few words to say about that later. I do not agree that either the men or the employers should fix the hours; that is a function for the court, and it is only when the court discharges its duties that there will be industrial peace, prosperity, and progress.

Mr. Holman: Forty-four hours were in vogue long before the Arbitration Court was thought of.

Mr. SAMPSON: There is a provision in the Bill that postulates the appointment of members of the court being representative of both employers and employees. I doubt whether that is a wise provision. Their impartiality is practically impossible. It is obvious on the face of it that the representatives of either side will go to the court influenced in favour of the side each one

represents. There is no real need for this clause. There is a section in the principal Act that gives power to the court to call on two experts to give technical advice in respect of a particular industry. That being so, I suggest that the Minister agree in Committee to eliminate the clause. The clause that brings domestic workers within the provisions of the Bill is unwise. This would be a scandalous infringement of the privacy of a man's home, and further, would impose upon women generally an added burden. I am not going to say there are not some women who are not good employers, but I will say that I believe a majority of women are considerate and kind, and that the young women who work for them are well treated. Personally I believe that a girl is better off in service in a good home than in either an office or a factory. Undoubtedly the strain is not so great, but if we are to introduce the 44-hour week into the home, an impossible situation will be created. Then there is the question of the hours worked by nurses. My friend the Honorary Minister in charge of hospitals will require to approach the Treasurer with a firm upper lip if the limitation of hours is to be introduced into the hospitals. It may interest some members to know that the previous Government reduced the hours of nurses engaged on night duty from 80 to 60 per week. Even the 60 hours are too long, but members will be amazed to know that previously the 80 hours formed the period worked at night, and that the time of the day nurses was longer than it is today.

The Minister for Lands: You took jolly good care not to reduce the hours until the last minute.

Mr. SAMPSON: There is a clause in the Bill that makes retrospective pay obligatory when an award sets out that this has to be done. It is unwise to include such a provision in the Bill. The work contracted for would already have been carried out and it would be impossible for the employer to antcipate the delivery of a retrospective award. That being so, such an award would be unfair. On the other hand, a retrospective award providing for a reduction of wages would be equally unfair.

Mr. Holman: Do you want to stop all work until a case is decided?

Mr. SAMPSON: An award should take effect from the period of delivery. To do otherwise would be to do something unfair to one side or the other. I would not stop work: I would make it obligatory on the part of the worker to continue before the case was taken to the court, and if possible, I would see that the matter was put in hand before dissatisfaction had reached that stage when arbitration had become urgently necessary, or when a strike was imminent. The employers cannot be blamed for delays.

Mr. Holman: We blame them.

Mr. SAMPSON: Of course you do, but that does not improve the position. We

can bring about a state of affairs that may work for industrial peace.

Mr. Holman: You have a striking example to-day with 1,400 men out.

Mr. SAMPSON: It has been set out that the industrial board shall be representative of the employers and employees, with a chairman. I venture the opinion that we might just as readily have the one judge or president acting, and eliminate the representative of the employers and employees. I notice that an oath must be taken, but even with that I doubt whether it will be possible to secure an unbiased opinion from these representatives. It would be better to have those who are not directly concerned. The constitution of the boards in that respect is faulty; it would be better that the chairman should be the sole arbiter. The Bill sets down a basis for the basic wage, and one point is that the worker shall have a five-roomed house. Would the Minister explain whether that means a house of four rooms and a kitchen, or a house with five rooms and a kitchen?

The Minister for Lands: Four rooms and a kitchen.

Mr. SAMPSON: No one will object to that, because a house of that size is necessary for an ordinary family. There is a serious disinclination on the part of employers to engage apprentices. The rates of payment are already too high. The wages paid to apprentices in the lowest grade of the printing industry are as follows:—For the first six months, 15s. a week; for the second period of six months, 17s. 6d. a week; for the third period, 20s.; for the fourth period, 22s. 6d.; for the fifth period, 25s.; for the sixth period, 30s.; for the seventh period, 35s.; for the eighth period, commencing the fourth year, 45s.; for the ninth period of six months, £2 15s.; and for the tenth (the last six months) period, £3 5s.

Mr. Teesdale: What age would the apprentice be then?

Mr. SAMPSON: He would be 21 years of age. The rates in the newspaper award are higher. If we are to supply the needs of the State regarding tradesmen there must be greater consideration both on the part of the employer and the employee. It should be obligatory on the employer to engage as many apprentices as the award covering his industry will permit, but the union should not press for a special wage for these lads. The position of the youth and the man who is without a trade is dreadful. The parent is wise who sees that his lad has a trade. Those out of employment to-day are not tradesmen.

Mr. Panton: Don't you worry about that. Why are tradesmen doing pick and shovel work in Barrack-street to-day?

Mr. SAMPSON: Those who apply for work at the Labour Bureau and at the various Government departments are men who are without a trade.

Mr. Panton: Not at all.

Mr. SAMPSON: It is a fact; I know it.

Mr. Panton: Don't we know the position, we who are mixing with the men every day?

Mr. SAMPSON: I do not wish to bandy words with the hon. member, but I know that those who are seeking employment to-day are those without trades. Wigg and Sons and another firm in Perth have been advertising lately for printers.

Mr. Panton: That is not the only trade in the State.

Mr. SAMPSON: Carpenters and other tradesmen are wanted too. This is not a question for argument between ourselves; we know that something in the nature of a tragedy exists to-day. Boys are not given opportunities to learn trades because the conditions are such that employers contend it is not profitable to engage them. That position should be altered. Whatever the decision of a court may be, it should be obligatory upon employers to engage as many apprentices as awards specify. Apprentices should attend the classes at the technical schools in the employer's time. I do not agree, however, that if a boy proves incapable after a number of years' tuition, the additional expense involved in further tuition should be thrust upon the employer. If a lad is unable to take advantage of the facilities provided by his employer, the responsibility should rest with the parents of that lad. Employing apprentices is a great responsibility to-day. Often a lad will make good progress for a year or two and then remain stationary. Such lads fail to become competent tradesmen.

Mr. Sleeman: Is not the fault with the employer?

Mr. SAMPSON: It is the fault of the employer sometimes. I do not wish to say the fault lies with the employer or with the employee; I wish to deal with the position as it exists to-day. We are now seeking to get away from the impasse regarding the shortage of tradesmen in Western Australia. The Bill deals particularly with apprentices for the building trades, but there are other trades equally requiring consideration. Possibly the elucidation of the problem may be the appointment of a board to control apprentices. The suggestion embodied in the Bill on that point is certainly helpful but it does not carry us very far. The Bill includes certain innovations and one of those is the 44-hour provision.

The Minister for Works: We were accused of want of originality a little while ago.

Mr. SAMPSON: Then the accusation was well merited, because the Minister will admit, as the member for West Perth (Mr. Davy) pointed out, there is a good deal of scissors and paste about the Bill.

The Minister for Works: Will you tell me where else in the world you will find a provision such as we have made regarding apprentices?

Mr. SAMPSON: That does not deal with the problem satisfactorily from my standpoint. That being so, of what use is originality. I have no desire to refer further to the scissors and paste suggestion. The Minister asked for it and he must not blame me for replying.

The Minister for Works: It shows how inconsistent you are. You have contradicted yourself.

Mr. SAMPSON: No, the Minister will find I am quite correct.

The Minister for Works: You spoke of an innovation and then of our lack of originality.

Mr. SAMPSON: The marginal notes show that portions have been taken from Acts in other States.

Mr. Panton: That is not unusual respecting Bills.

Mr. SAMPSON: Let us proceed to deal with the 44-hour provision. That number represents the maximum hours to be worked. Up to the present it has been a fundamental condition that the hours of labour shall always be fixed by the Arbitration Court, bearing in mind the particular class of trade or profession concerned. Thus the provision in the Bill fixing the hours of labour at 44 per week is entirely an innovation, as formerly the fixation of hours was a function of the Arbitration Court. I acknowledge that we live in progressive times, when the use of machine power makes for prosperity. In the event of the hours to be worked being reduced, great care must be exercised. The consumer is entitled to the benefit accruing from the altered conditions. In the cities special benefits are secured to the workers and by the people because of protection. In the country the primary worker is in competition with those outside the State. His product has to stand against competition with other parts of the world. It is the parity of other countries that he receives, and because of that we must be careful before we tamper with the hours of those employed in the city. If that care is not exercised we will encourage country people to flock to the city. That is the position to-day in Western Australia, and in every capital city and big centre throughout the Commonwealth. We may well ask why it is that work performed in closely settled centres always produces better results than work in the country.

Hon. Sir James Mitchell: I do not think that is so.

Mr. SAMPSON: Better wages are secured in the city and better returns are secured in that respect.

Hon. Sir James Mitchell: I do not know about that.

Mr. SAMPSON: We have not yet reached the stage when a universal week of 44 hours of labour will provide a living for all. Men work long hours in the country but not so long as they were once accustomed to. There is a general tendency to reduce the hours

of work. I am not opposed to a 44-hour week or a 40-hour week, so long as the court prescribes it. We must not allow Parliament to usurp the functions of the Arbitration Court which was set up especially to decide upon the conditions of labour.

Mr. Marshall: Then you approve of Parliament being subservient to the Arbitration Court?

Mr. SAMPSON: I have often noted the disinclination to accept piece-work in Western Australia. I do not know why that should be.

Mr. Heron: Because it has been made a sweating system.

Mr. SAMPSON: Under the piece-work system a man is paid for what he does, and that is a direct encouragement for output. I was glad to note that the Minister for Lands, when speaking the other day regarding group settlement operations, stated that something was being done regarding piece-work. I understand the Minister favours the system.

The Minister for Lands: But they are working for themselves there.

Hon. Sir James Mitchell: That is not piece work.

Mr. SAMPSON: Men on piece-work do work for themselves. Why should a man who is able to do more than his fellows be paid the same rate? Anything that can be properly done to increase output is commendable. If it is possible to increase the output of factories, we bring about an added measure of prosperity, not only to those in the factories, but to the rest of the world. Henry Ford, the great automobile builder, has made a fortune, not through high prices, but through mass production. In America, on the authority of Mr. Gompers, a well-known Labour leader—

Mr. Panton: We do not recognise him.

Mr. Teesdale: Gompers has slipped a bit.

Mr. SAMPSON: — the fallacy of restriction of output has long been recognised. The Bill violates the principle of arbitration, because already a decision has been reached in respect of hours of work. We have had interjections that suggest class hatred. It is our duty to eliminate class hatred. We have to acknowledge that without good, loyal, efficient service, there can be no success in any business.

The Minister for Agriculture: Are you stonewalling?

Mr. SAMPSON: This should be the very spirit of the Bill, an acknowledgment that the ambitions of men are much the same, their inclinations largely the same, and their desires the same. No country can progress without industrial peace, and so I want the Bill to be amended in such a way as to bring about that result. To-day, as compared with 30 or 40 years ago, there are very great improvements in the industrial world. When I first started in the printing industry in Adelaide, my chief work was carrying beer to the compositors. In those days there was not the sobriety, nor the

quality of workmanship that we have to-day. Progress has been made, and I know that to-day the employees are sober, capable, and, in many instances, find pleasure in their work.

Mr. Heron: You will be called over the coals by the other employers for this.

Mr. SAMPSON: To-day modern intricate machines require capable men to work them. We have such men, but I want to see them in greater numbers. There is too much of a class preserve in the skilled trades. That justifies the remarks I have made in respect of the need for more apprentices. I repeat, that in connection with the Works Department the Ministry did wrong in altering the hours to 44, and I again say that in that provision the Bill violates the principle of arbitration. It has been proved by writers that long hours mean decreased output. But there is a point beyond which we cannot go. I am unable to say where that point is, but it is obvious that we dare not pass a certain stage.

Mr. Corboy: The most successful businesses in the world are working less than 44 hours.

Mr. SAMPSON: I believe that short hours make for efficiency. But we are already working short hours as compared with the figures given us in those books to which I have referred. The question is whether, notwithstanding the continual improvements being effected in machinery, we can afford to further reduce the hours. In any case, whether we can or not, it should be for the Arbitration Court to say. It would be wrong for any Government to take out of the court's hands the functions of the court.

Mr. Panton: Billy Hughes did not think so when he appointed that special judge.

Mr. SAMPSON: The Arbitration Court judge alone after hearing evidence can say what any industry should pay. It will interest the House to hear some remarks by Mr. Theodore, as published in the Melbourne "Argus" of the 7th August, as follows:—

Improvements should be sought where they were practicable. Last year he had explained to members of the union that to legislate for a 44-hour week would have the logical outcome of affecting the whole industry of the State detrimentally. They should carefully consider economic facts. Such an alteration in the working week in the railways cost £110,000 a year; in other departments it cost another £50,000. On account of the monetary stringency existing in Australia, a curtailment in expenditure was necessitated. So serious was this that the Australian Loan Council found it necessary practically to ration loan funds. They had therefore to scrutinise very carefully any proposals which would place charges on the revenue. That was why the 44-hour week was impracticable—for the present financial year at any rate. In regard to the basic wage, continued Mr. Theodore, the Ministry took the same stand as in 1922. He could

see no valid reason why Government employees should be placed on a better basis than outside workers. Why should they be placed in such a position that the Arbitration Court should not deal with them? This attempt to take the matter out of the hands of the court was a blow at the system of arbitration. "Are we merely to provide higher wages for a class?" he added. "I have always resisted that view."

The following also was taken from the "Argus":—

Mr. Collins (Labour) resumed the debate on the Address-in-reply in the Assembly to-day. Labour members, he said, had discussed the basic wage and the 44-hour week. There was no split in the party, but there was a difference of opinion between the Cabinet and members of the party. One phase of what had happened had been revealed by the Premier (Mr. Theodore). He was going to reveal the other. It was quite true that Mr. Theodore had resigned on the ground that he could not see his way clear to carry out the wishes of the party. That was quite in order. The party accepted the resignation and, following the usual procedure, it set about selecting another leader. One was elected. The honour had been conferred upon himself. (Opposition cheers and laughter.) Then Mr. John Payne, M.H.A., had been elected deputy leader. The ballot for positions in the Cabinet proceeded, and a number of ballots had been taken when an impossible position was reached owing to a majority of informal votes having been recorded. The members of the Ministry left the room for half an hour and came back, when a compromise had been effected in regard to the 44-hour week. A difference of opinion in the party did exist, and must exist, but there was no crisis.

It is gratifying to know that, in respect of the 44 hours, wiser counsels prevailed. Then there is another phase of the Bill, that dealing with preference to unionists. I deny that that is sound. However, if preference to unionists is set out in the Bill, it should be possible for all men so desiring to join a union. If the provision goes through, we may have the spectacle of a man being deprived of his living because unable to join a union. Men have been refused admittance to unions, and it is easy to see that the acknowledgment of this principle, and its approval by the House, could easily bring about very undesirable conditions.

The Minister for Lands: It is all at the discretion of the court.

Mr. SAMPSON: A few nights ago I asked whether there was any truth in the rumour that it was a condition prior to engagement on road work that a man should belong to the A.W.U. I was informed by the Minister that there was no truth in the



rumour. I am glad of that, and I hope that such a state of affairs will never exist, that all men will be given an opportunity to earn a living for themselves and their families. After all, whatever is done in respect of reduced hours will very largely be paid for by the workers themselves. I advise them to exercise some caution, to see to it that they do not go too far. It is very easy to ask for concessions, but there are certain economic laws that cannot be trifled with, and if greater consideration is given to one section it is certain that there will be dissatisfaction in other sections. I will vote for the second reading, but in Committee I will do my best to have certain clauses amended, clauses which, as printed, I consider unsatisfactory.

Hon. Sir JAMES MITCHELL (Northam) [9.15]: I am sorry the Minister is anxious to close the debate to-night. This is an important Bill and one that the House should have ample time to discuss.

The Minister for Lands: It has been before us for nearly a month.

Hon. Sir JAMES MITCHELL: It is nearly a month since it was introduced, but a fortnight elapsed before it came on for consideration. Only during the last few days has the Bill been discussed. The Minister made an excellent speech and I congratulate him upon it. He went to Alfred Deakin and C. C. Kingston and other great Nationalists—

The Minister for Lands: There were no Nationalists in their day.

Hon. Sir JAMES MITCHELL: And quoted from their speeches merely to show that arbitration is a good thing. We all believe in arbitration. It is the policy of every member of the House. We admit it has not answered all expectations, and I do not suppose it ever will, but we can hope for much more from it than we have experienced in the past. Arbitration must go unless both sides are willing to obey the Arbitration Court. If they were at liberty to go to the court and then refuse to have anything to do with the award, it would be quite unfair to the public to keep the Arbitration Act on the statute-book. Fortunately that does not often happen, but if it does happen, arbitration will have to go. We cannot have strikes and arbitration too. I do not like the Bill. I disapprove of many of its provisions, though some parts are worthy of consideration. The member for West Perth (Mr. Davy) pointed out that some portions of it could with advantage be adopted, but that to others we are totally opposed. I am sorry the Royal Commission was not permitted to proceed with its investigations. We hold inquiries into all sorts of things of far less importance to the public than is arbitration. We are going to have a Commission to inquire into group settlement; there is a committee inquiring into the water supply; we have numerous inquiries, and yet on an important question like arbitration that affects

everybody, the Minister lightly sets aside the Commission. He frankly asks, "What is the need for a Commission? We can put up just the Bill we want." This, of course, is a Trades Hall measure. There is not a word left out that the Trades Hall wants in, and there is not a word in it of which the Trades Hall has not approved.

The Minister for Lands: It is a very fair Bill.

Hon. Sir JAMES MITCHELL: It is not a fair Bill, but we shall make it a fair Bill before we have finished with it. It is a measure representing the wishes of one section of the people.

Mr. Pantton: The principal section, you will admit.

Hon. Sir JAMES MITCHELL: An important section I admit, and I have always made it evident that I possess that belief. If I object to anything in the Bill, it shall be done with a view to improving the measure. It is useless to say that men shall receive £1 or 30s. a day unless they can get work. Arbitration ought to hold the balance fairly between both sections. It should encourage the enterprising and protect the worker. Does this measure propose to do that? Does it propose to treat with absolute fairness both sections of the people? Does it propose to act with absolute fairness to the public? I say it does not.

Mr. Pantton: The workers are principally the public.

Hon. Sir JAMES MITCHELL: We have to encourage the enterprising to create work, to have things done; we must not deter people. What the man wants is work; what the good worker wants is to be compensated for. That is a wholesome condition of affairs that all ought to encourage. I have just as great a concern for the good worker as for any other section of the community. If you make the man on the bottom rung of the ladder successful and prosperous, you provide opportunity for all sections.

Mr. Heron: The other man looks after himself.

Hon. Sir JAMES MITCHELL: Even the learned professions benefit when things are prosperous, and they are prosperous only when all men are at work. If men cease to create wealth the country goes back.

The Minister for Lands: This Bill is to make them create wealth.

Hon. Sir JAMES MITCHELL: We hope, with the help of the more level-headed members on the Government side, to make such amendments as will provide something for the workers.

The Minister for Works: I see your optimism still sticks to you.

Hon. Sir JAMES MITCHELL: I am a Western Australian and naturally am optimistic, surrounded though I am by pessimists of the worst order.

The Minister for Works: Why do not you shift away from them and come over here?

Hon. Sir JAMES MITCHELL: We should approach this question with the honest desire to bring arbitration a little nearer to perfection. We must disregard any political kudos or advantage that may be gained from anything said or done respecting the Bill. This is not the place to discuss this industry or that industry, or the shillings paid here or there. Our aim is to get a tribunal that will hold the balance fairly, give the worker all he is entitled to, and the man of enterprise what he is entitled to. We must not do anything to injure either of those parties or the general public. I shall not discuss the agriculturist, the timber worker or anyone else. I wish to discuss the most important provisions. The many boards to be appointed can be discussed in Committee. A general discussion now would not lead to any understanding with the Minister. The Arbitration Court is the all-important feature—the president, the man who deals with these questions, rather than the law that gives him the authority. I cannot understand why, when a judge administers the law, lawyers should not appear before him. I believe cases have been unnecessarily prolonged because of their exclusion, but that is the system. Surely it is of the utmost importance that we should deal with the constitution of the court and the provisions that really count. Arbitration is necessary to industry. It is the only safeguard. It is impossible for the employer of many workmen to consult each one of them. Arbitration should make for peace in industry and for a fair deal to the three parties concerned. Believing as I do in arbitration, I contend this Bill does not give arbitration a chance. It provides only in part for arbitration. In some respects the court will be cribbed, cabined, and confined; in other respects the Act will dictate to the court matters that may be argued before and decided by the court. The apprenticeship question should find a place in a separate measure. I do not know the Minister's intentions regarding apprentices, but if he proposes to remove the child or the young man from the control of the parent and make him a ward of the court, I think he will be doing wrong.

The Minister for Works: Surely you do not believe that!

Hon. Sir JAMES MITCHELL: I read in the Bill that the court will become the guardian to prescribe how and where and when a lad shall learn his trade. There is a good deal of trouble in the building trade because work with a contractor is not continuous, but the great trouble is that so much of our work is done for us in the Eastern States, and so our boys do not get a chance. Australian factories last year turned out £320,000,000 worth of manufactured goods. Western Australia represents one-sixteenth of the population and, if it had its share of factories, would have

turned out £20,000,000 worth of goods. We did not do anything like one-half of that business, and so our boys do not get the chances enjoyed by boys in the Eastern States. Therefore the apprentices question is more serious for our boys. We should endeavour to have our boys well trained. The Minister, however, would have been wise to introduce a separate Bill dealing with that question. I doubt whether it rightly finds a place in this measure. The Bill will enable the court to prescribe preference to unionists. This is most objectionable. I do not know why anyone should have preference. The good worker does not want preference over any other worker. Preference would be of no use to him. In any event, why should not men be free? This is a free country, and what harm would be done if men elected to remain outside the unions? Unionism is good for the protection of the men engaged in our industries, but not for political purposes.

The Minister for Railways: How could cases be conducted in the Arbitration Court if it were not for the union officials?

Hon. Sir JAMES MITCHELL: The Minister was not listening to what I was saying.

The Minister for Railways: Should only a few join the unions, or should everybody do so?

Hon. Sir JAMES MITCHELL: I am not objecting to unionists, but to preference to unionists.

The Minister for Lands: You said you approved of the court having full power, and there can be preference to unionists only by the permission of the court.

Hon. Sir JAMES MITCHELL: We say to the court, "You may grant preference to unionists," and that is a direction to the court. We transfer to the court the right to say whether there should be preference to unionists or not. I object to the principle being applied to anyone at any time, or anywhere. All ought to stand alike, and be protected and helped to the same degree. Before we indulge in preference to unionists, we must consider the protection of the people who join unions. Unions are a close preserve, and they have to be. It is no good having too many men on the Fremantle wharf for the work that has to be done there. If unionists are to have preference, so must we deal with the question of admission to unions. It ought not to be possible for a man to be marked and refused admission to a union because he is not of the same political colour as others in it, nor should it be possible to make his membership fees just what the officials choose.

Mr. Lutey: Members decide that for themselves.

Hon. Sir JAMES MITCHELL: We know to what extent they do that. If a man goes on to road-making in the country, I am told, he has to pay the union £1, and 10s. for the purchase of a Labour paper.

Mr. Corboy: He would have to pay 25s. altogether to join the A.W.U. for 12 months.

Hon. Sir JAMES MITCHELL: This is what I was told by a man who was on a road-making job for a couple of months.

Mr. E. B. Johnston: He gets a valuable paper every week for a year.

Hon. Sir JAMES MITCHELL: This man says he did not receive the paper.

Mr. Corboy: The union subscription works out at 3d. a week.

Hon. Sir JAMES MITCHELL: I accept that statement, but as this man was at work for only two months it was too much.

Mr. Corboy: That ticket is good on any job throughout the year.

Hon. Sir JAMES MITCHELL: If there is to be preference to unionists, membership of a union ought not to be difficult, and the fees should not be prohibitive. No part of the funds of the union should be used to help any political party. All these things would have to be considered before we adopted the principle. If the Bill is passed, and this clause goes through without protest, the court will believe that we want preference given to unionists. A man has a perfect right to say whether he shall belong to a union. We have no right to compel him to join.

Mr. Corboy: There are men who will not help by joining the union, but are glad to get the results of its work.

Mr. Marshall: Such a man is worse than a garrotter.

Hon. Sir JAMES MITCHELL: What wisdom flows from the back bench!

Mr. Marshall: I will tell the House what I think, later on.

Mr. SPEAKER: Order! The hon. member must not continue to interrupt.

Mr. Teesdale: It is time he was called to order.

Hon. Sir JAMES MITCHELL: I do not know why it costs so much to approach the court.

Mr. Corboy: The excessive cost is largely the cause of the excessive union fees you talk of.

Hon. Sir JAMES MITCHELL: The Bill also gives the court power to make retrospective awards. I agreed that the award should be retrospective in the case of the railway men, because when they applied to the court they were not getting a fair living wage. To their credit be it said that during the war they did not say anything about their wages, and when other people were getting increases, they worked on. When the matter came before me I said the court must decide. If Ministers had the right to decide such questions it would be easy for them to use that right against the best interests of the country. Such a matter should therefore always be left to the court. I also agreed that whatever pay the court fixed should be made retrospective. The country had to pay about £80,000, because of the long delay in getting the award.

The Minister for Lands: In what way would it be detrimental to the country if Ministers had the power to fix the wages of Government employees?

Hon. Sir JAMES MITCHELL: Long ago in the civil service we said that the Public Service Commissioner must fix the pay, and we also appointed an appeal board. There are thousands of men in the employ of the Government, and it would be possible—I do not say probable—for a Minister or a candidate for office before election to promise all sorts of things, an increase in wages or salaries, shorter hours, long service leave, and other things that would not be in the interests of the country. Promises and their fulfilment are different things. The proper tribunal to fix the wages of the men employed by the Government is the Arbitration Court. It is not right that Ministers should have the power. If an award is made retrospective in the case of a manufacturer, and it takes as long for his case to be heard as was taken in the railway case, his goods may all have been sold. Naturally the manufacturer would endeavour to increase the price of his goods to cover the amount claimed by the union. He might thus collect a profit to which he was not entitled, or he might find himself having to pay more for wages than he had allowed for. The practice would be a dangerous one. The member for West Perth (Mr. Davy) suggested it would be better that such cases should be dealt with by a deputy president, who would thus prevent delays occurring. I hope the result of the proposal for the appointment of boards to assist the court will be the saving of time. It is unsatisfactory to have cases delayed for a long period. If there were no delays, there would be no question of retrospective awards. In all arbitration matters there must be trouble when we fix wages according to the cost of living. As the cost of living goes down, wages are decreased, and vice versa. A man should be paid according to the value of his work. He can only be paid for the money he earns. There are thus some industries that can pay more than others, and some men who earn more than others. We ought to pay a man what he is worth. The method suggested in the Bill will have a bad effect on business generally.

Mr. Lutey: The court can fix a higher wage if it thinks a man is worth more.

Hon. Sir JAMES MITCHELL: That is beside the question. It is not satisfactory or right that wages should be fixed in the way that is now done. With regard to the question of a man working in some other avocation, I do not know how far the Minister wishes to go. It appears that if a man is employed upon any work covered by an award, the employer must pay him the award rate during the time he works on that particular job, though it may be outside his ordinary avocation. A farmer may instruct one of his men to paint a gate. The man would not be a painter be-

cause he did that, but would merely be doing a rough job upon a rough gate because there was nothing else for him to do at the time. Everybody will have to know just what every award says. If the correct amount is not paid, the employer can be sued, though at present he must be sued within three months; the amending Bill extends that period to six years. Naturally everyone who employs a painter at, say, painting a house pays him at the award rate. Under the Bill a man employed on a farm casually to shoe a horse would have to be paid as a blacksmith, or the employer would be held up as a sweater, as one unwilling to pay for work at the same rate as other people. The Minister should reconsider that clause in Committee. Again, an award will apply to all persons engaged in the industry. Even a man who is not employed by anybody will have to obey the award. For instance, a master baker at Wyalcatechem would have to observe the hours even if only working for himself. The same position would apply to a man starting in a small business which he hopes to extend, a business which could not at the moment afford to pay wages. Are we seriously to say that such men are to be treated as workers under the law? The Minister cannot expect such a provision to be enacted. Then there is the important provision that enforcement orders may be heard by any magistrate or justice of the peace appointed by the Governor an industrial magistrate. Under the Workers' Compensation Act an industrial magistrate must be a magistrate of the local court or the police court, but under this Bill any magistrate whatever may hear enforcement cases. I cannot regard that as a wise provision, for the chances are that each justice of the peace would be connected with one side or the other. It would be equally wrong if the masters provided the bench or the employees provided it. It would be equally wrong to appoint either an employer or a union secretary to be an industrial magistrate. Such a state of things would be likely to lead to serious trouble. I consider that in every case the police or local magistrate should be the industrial magistrate. Again, the Bill provides that an employer shall not be represented by counsel when proceeded against for a breach of the award. I fail to see why he should not have the advantage of counsel in such a case. Without the aid of counsel, indeed, either a worker or an employer might find himself in a difficulty when appearing before the court in a country district. I hope the Minister will reconsider this provision also. The Bill contains a provision under which the Arbitration Court may determine what shall be the basic wage. Certainly in every hearing now the court has to determine what is a fair basic wage. The trouble is that each time the same old evidence is produced; day in day out witness after witness is called to prove the cost of living. That

practice ought to be abolished, and the court should be allowed to determine what is a fair basic wage on which to build the award. But to put the court into hobbles before allowing it to move is altogether wrong. The Bill directs that a five-roomed house shall be provided. I contend that both sides being present at the hearing to produce what evidence they consider necessary for a worker, but I hope that the not provide for anything further. I do not say that a five-roomed house is not necessary for a worker, but I hope that the provision in question, and other provisions of a like nature, will be deleted, and that the court will be allowed to come to its own conclusion. This will be a great country for single men if the Bill passes. The unmarried members of this Chamber should tell the Minister that the proper tax on a bachelor is the cost of keeping a wife and three children.

Mr. E. B. Johnston: Bachelors are often bachelors through misfortune, and not from choice.

Hon. Sir JAMES MITCHELL: It is an unfortunate thing for the bachelor to remain a bachelor, but probably it is a fortunate thing for the opposite sex. If we are to fix a wage as suggested by the Bill, then the bachelor ought to contribute, by way of taxation, as much as it costs to keep a wife and three children. I will vote for such a provision if the Minister is game to put it forward. The 44-hour week has been discussed. Again, why not leave the question to the court? I notice that Ministers have not put the 44-hour week into operation except in one case. In the mining industry, we all recognise, 44 hours would be more than is worked now. In some industries 44 hours would be too much, and in others too little. The matter should be left for the court to determine. Surely an eight-hour day is not too long for a man following any ordinary avocation.

Mr. Panton: We are only asking for eight hours a day, and a half-day on Saturday.

Hon. Sir JAMES MITCHELL: If we are to work 44 hours, it would be better to work them on five days. Hon. members should bear in mind that there are other persons than the employers and the employees who go to the court. Eighty per cent. of the spending power is in the hands of men who have incomes of less than £300 a year. It should be remembered, too, that we do not export any manufactured goods. The people of Western Australia buy all that we manufacture, and they will continue to do so for some time. It is quite right, too, to say that the cost of 44 hours as against 43 per week would be at least 10 per cent. on the cost of manufactures. I do not believe it is possible for a man to do as much in 44 hours as in 43.

Mr. Panton: We say it can be done with organisation.

Hon. Sir JAMES MITCHELL: Where is the organisation to begin, and where is it

to end? Would it be possible to establish in this country the same machinery for our 360,000 people as for New South Wales with its population of 2,000,000?

The Minister for Lands: Oh, we shall have 2,000,000 here shortly!

Hon. Sir JAMES MITCHELL: We have not got them now, and we are dealing with the present. While the workers who have been granted the 44-hour week may not have their wages reduced immediately, a reduction is bound to come. Let us face the thing squarely. If you like, discard all other classes and consider only the working man.

Mr. Pantou: It is the working man's slogan you are putting up to us.

Hon. Sir JAMES MITCHELL: No. Everybody takes every gain that comes his way, and the working man has been told—

Mr. Pantou: The working men of Australia do not need to be told anything.

Hon. Sir JAMES MITCHELL: They are too intelligent to be deceived by certain people.

Mr. Pantou: They showed that on the 22nd March.

Hon. Sir JAMES MITCHELL: I know them very well. They have not been told the disadvantage. Neither have they been informed that they cannot expect their wages under the new conditions to go as far as they go now. And they are not likely to be told, either. They are told that the 44-hour work is all good. I would like to see people under no necessity to work very much, but it cannot be done. People have to work if the standard of living is to be maintained. Surely it has been the aim of Englishmen to make sacrifices for their families and to work for them!

Mr. Pantou: It has been a question of compulsion, not of sacrifices.

Hon. Sir JAMES MITCHELL: If the proposal that 44 hours shall be the working week means that the worker is to suffer the loss, we should not agree to any such provision. I do not intend to tell the working man that this is good for him. I will tell him that it is not a good thing, that his standard of living will be decreased by this proposal, and that this is not an honest effort to improve his position. The Bill provides that the secretaries of unions shall have the powers of an inspector under the Act. That is an impossible proposition and is not worthy of discussion.

The Minister for Works: Do you know that they have that power now, and that the provision in the Bill is nothing new?

Hon. Sir JAMES MITCHELL: If there is that provision now, we will wipe it out.

Mr. Davy: The power is provided in some awards.

The Minister for Works: It obtains practically everywhere.

Hon. Sir JAMES MITCHELL: The Bill proposes to widen the scope considerably and if the Minister thinks these people are

to have the same authority and power as a Government inspector, who is responsible to a Minister of the Crown, then I think he is much mistaken. I doubt if this Chamber will agree to such a proposition, which is objectionable and unnecessary. It is a proposal that could only be placed in the Bill because we have no confidence in the employers and no fair appreciation of the intelligence of the working man who can protect himself a jolly sight better than legislation such as this can do.

The Minister for Works: What do you think these fellows are? A lot of heathens? Why get cross about it!

Mr. Davy: They may be anything.

Hon. Sir JAMES MITCHELL: They are angels, but they do not look it! I am endeavouring to show the Minister that the working man can look after himself just as well as these people to whom such powers are to be given. What the deuce is the good of making it impossible for men to be employed, by providing rotten little pin pricks like this? What the deuce has a union to do with the government of the country? Of course in Queensland, where Mr. Theodore wiped out the Upper House, the Trades Hall became all-powerful. There the Trades Hall is the Parliament; that is not the position here.

Mr. Lutey: And Queensland is the country that is progressing most!

Mr. Pantou: Now, we know where you are tending.

Hon. Sir JAMES MITCHELL: Mr. Theodore said there should be one House only in Queensland and he spoke truly. He did away with the Legislative Council, but that was not a House of elected representatives of the people. The next point to be mentioned is the appointment of the President of the Arbitration Court. Last year we endeavoured to pass legislation providing that the appointment of the president should be permanent. The Bill passed this Chamber but was rejected in another place. The president should be appointed permanently and not for a period of seven years. The president should have all the protection afforded a Supreme Court judge. He should be absolutely independent of the Government and should not have to watch the clock going round as his seven years expire. It would only be natural if a man in that position attempted to do something to satisfy the Government of the day in order to secure reappointment. An experienced man is required for such a position. Such a man should not have to seek a renewal of his appointment at the end of seven years. On the other hand, should the person appointed not be suitable, he should not be on the bench for a month. He should be removed by a vote of both House of Parliament, just as a judge may be removed from the Supreme Court bench. The position of President of the Arbitration Court is a most important one and should be well paid.

Mr. Thomson: The position is even more important than that of an ordinary Supreme Court judge.

Hon. Sir JAMES MITCHELL: At any rate, the effects of his work are probably more far-reaching than that of a Supreme Court judge. The president should have, in addition to the same protection, the same freedom of action and the same pension as a Supreme Court judge, and he should not be forced to watch the days go by as the term of his appointment draws to a close.

Mr. Panton: He should not have so long a vacation as a judge of the Supreme Court.

Hon. Sir JAMES MITCHELL: If the president is to be appointed for seven years, then the appointment should be confirmed by both Houses of Parliament, as is the position regarding judges now. That is so, because Parliament has control of the judges to the extent that they may be removed by a vote of both Houses of Parliament. If a man appointed to such a position is unsuitable, he should be removed by Parliament and we would not be doing our duty if we did not take the necessary action.

Mr. Lutey: Would both Houses of Parliament have agreed to shift Judge Northmore after the Kalgoolie award?

Hon. Sir JAMES MITCHELL: No.

Mr. Lutey: All fair-minded men in the State would have agreed to do so.

Hon. Sir JAMES MITCHELL: During the election campaign much use was made of that matter and the Government were blamed for the award.

Mr. Lutey: Why did you not put him out for such a disgraceful action?

Hon. Sir JAMES MITCHELL: Members have said many things about that award. What have they done since then to get away from it? How have they tried to make the position better?

Mr. Lutey: We are endeavouring to do so now.

Hon. Sir JAMES MITCHELL: Not a thing has been done since the election. Members sitting on the Government side secured their position by denouncing the late Government, who were blamed for the award. Every member who spoke along those lines knew full well that the Government had nothing whatever to do with that or any other award. We had no control over the court and a Government would be unworthy of the position they occupied who, in any way at any time or for any purpose, endeavoured to bring influence to bear on the court. Members know that I did not even desire to express an opinion as to the hours to be worked, because I regarded that as a matter for the court to deal with. I would be ashamed of any member who made that statement regarding Mr. Justice Northmore. Nothing more disgraceful in the political history of this State was ever indulged in than the talk regarding Mr. Justice Northmore and the Government. It was monstrously unfair to the Government.

A man who could make such statements as were made during the election campaign is not worthy of a seat in Parliament.

Mr. Lutey: Do you agree with his award?

Mr. Davy: It is not the function of the Leader of the Opposition to agree or disagree with it, nor is it yours.

Hon. Sir JAMES MITCHELL: There was nothing to prevent any hon. member moving for the removal of the judge.

Mr. SPEAKER: Order! I cannot allow any further discussion on the position of a Supreme Court judge.

Hon. Sir JAMES MITCHELL: That is quite right. I apologise, Mr. Speaker! I overlooked the fact that we should not discuss Supreme Court judges. There are three parties to be considered in connection with industrial awards—the employer, the employee and the public. I have already pointed out that the public constitute the last purchaser of goods. What the worker really requires is ample employment.

Mr. Heron: And lower wages?

Hon. Sir JAMES MITCHELL: The worker wants his requirements at reasonable prices and, for the good of the country, he wants good wages too. What is the use of discussing arbitration when hon. members say that they do not employ men? Of course they are employers. They cannot wear a suit without employing men, and they are just as much employers as are those who directly control workers.

Mr. Panton: As employers, then, we say the 44-hour week is a fair thing.

Hon. Sir JAMES MITCHELL: And the hon. member will kick up a deuce of a row when he has to pay a little more for his suit of clothes!

Mr. Panton: No, I won't, so long as it has the union label.

Hon. Sir JAMES MITCHELL: The Opposition do not stand for poor wages. We say that the country prospers best where the wages are good. No man should be asked to work for just what he can live upon. For the moment our export market is fairly good, and prices, therefore, are also good, except for the fruitgrowers. Those prices are passed on so far as manufacturers are concerned. I listened to the speech of the member for Katanning (Mr. Thomson) and I am doubtful whether he will support or oppose the Bill. I do not know whether he will help us in Committee to improve the Bill. It is the duty of every member to make the measure, if it must be passed, better than it is now. I believe the Minister can improve the machinery clauses and, therefore, I am prepared to allow the Bill to pass the second reading stage. I hope to have the support of some Government members in Committee, for I have faith in their common sense. The Bill should be altered so that it will deal fairly with everyone. The Minister frankly told the House that he had disbanded the Royal Commission because the Government knew what they wanted. That is where the Min-

ister fell. It is not a question of what the Trades Hall people require; it is a matter of what is right and fair and proper.

The Minister for Lands: What the Minister wants is a peaceful solution of difficulties and the avoiding of disputes.

Hon. Sir JAMES MITCHELL: The Minister for Lands did not draft the Bill and would not have brought such a measure before the House. On the other hand, he left it to his young friend, the Minister for Works, to provide for what was desired, with Beaufort-street as his headquarters. The Minister is willing to give anything that is required.

The Minister for Lands: Like myself, you are getting old. The Minister for Works knows more about this than I do.

Hon. Sir JAMES MITCHELL: The hon. member is perfectly justified in speaking for himself. He may be growing old, but I am not. The point is, we have to do our duty by the country. If the Bill becomes law it will work, not to the advantage of the workers, but against them. The Minister will find it hard enough to provide work for our people all the time. Every disadvantage has to be paid for by the very workers we are seeking to serve.

Mr. Panton: You are becoming pessimistic.

Hon. Sir JAMES MITCHELL: I am not, neither am I a fatalist. We must have work for our people. We shall be running risks in passing the second reading, but we do it because we trust to the common sense and good judgment of some of the members sitting opposite.

Mr. CHESSON (Cue) [10.17]: I welcome the Bill, for I realise the defects in the existing Act that will be remedied by the measure. We know from experience the trouble and delay that occur in getting before the Arbitration Court. Sometimes so difficult does it prove that in the end fresh citations are required. The Bill proposes to relieve the existing congestion at the court by handing over certain cases to the proposed board with, of course, an appeal to the court. Thus considerable time will be saved, not only to the contending parties, but also to the court itself, and so will make for the smooth working of arbitration. Preference is to be given to unionists. When a body of men band themselves together and agree to settle all disputes by peaceful means, bearing the expense of sending their witnesses to the Court of Arbitration, those men should have preference. I do not see why others, prepared to stand aloof from industrial organisation, should have any consideration. But for the unionists there never would have been arbitration. In the interests of industrial peace it ought to be the aim of all to encourage men to form unions, to go to the Arbitration Court and obey the orders of that court. Non-unionists are a menace to industrial peace. I

have known what it is to be victimised. At one time I was out on strike for nine months, and when eventually we were defeated, all the younger men in the industry were victimised. We do not want that sort of thing. Originally the trouble in the coal-mining industry was brought about by the employers who, when contracts were about to terminate, let it be known that after a certain date the hewing rate would be reduced. Subsequently the miners waited their opportunity until the employers secured some big shipping contracts, whereupon the men brought about a cessation of work and so got some of their own back. Strikes are no good to anybody. When we induce all workers to become unionists and go to the Arbitration Court, we shall have industrial peace. Provision is made in the Bill to bring the employers and employees together before a strike actually occurs. That is a step in the right direction. Most incipient disputes can be settled at a round table conference between the parties.

Mr. Teesdale: Is that the present disputes board?

Mr. CHESSON: Under the Bill the court will have power to order a compulsory conference. It is also provided that the President of the Arbitration Court need not be a judge of the Supreme Court. I certainly agree with that. We have but few judges, and the whole of their time seems to be occupied in the Supreme Court. A layman of experience in industrial matters should be even better qualified for the presidency of the Arbitration Court than is a judge of the Supreme Court. The appointment of the president is to be for seven years. That will give him a chance to qualify for reappointment. It has been suggested that the appointment ought to be for life. Personally, I do not care much whether it be for life or merely for seven years, since the president will be eligible for reappointment. Most certainly the president should attend exclusively to arbitration work. If the court is dissatisfied with any of the boards to be appointed, the court will have power to dissolve that board. The court can set up special boards in industries where experts are required to consider the award. The court will deal with the basic wage and the cost of living, and so will occupy a more prominent position in the economic life of the State than it has done in the past. Provision is made for the appointment of industrial magistrates, who will hear citations for breaches of awards. In the past most of the time of the court has been taken up with such applications, the hearing of which by industrial magistrates will leave the court more time for attending to larger questions. Boards of reference will deal with questions of overlapping. Demarcation boards are also provided for. I have been connected closely with industrial organisations, and I know what it means to have contented and well-paid workers. The greater the purchasing power

of the workers, the greater the progress of the State. Much depends upon what an industry can pay, but wherever the workers are well paid, prosperity exists. Therefore it is our duty to grant the necessary powers to prevent disorganisation of industry. Provision is made for free and easy access to the court. At present, before an organisation can present a citation, it has to take a ballot of the whole of the workers in the industry and, with a scattered industry, it is difficult to get a vote of the whole of the workers. The Bill will permit of a meeting being held in the ordinary way and of application then being made to the court. Awards are to be made retrospective to the date of the citation, which is only right. Owing to the congestion of business in the Arbitration Court periods of six, 12 and even 24 months have elapsed between the lodging of the citation and the beginning of the hearing. The delay may be due to the fault of an employer. If the award be made retrospective, both parties will endeavour to get a settlement as soon as possible. Under this measure it should be easy to get a settlement, either through one of the boards or the court. The court should have power to decide whether a breach has been committed. Under the existing law, if proceedings are not taken within three months, the complainant is out of court; in future the Statute of Limitations will apply.

Hon. Sir James Mitchell: You do not agree with that, surely.

Mr. CHESSON: Three months was too short a period. If a man could prove his claim, it amounted to a debt.

Hon. Sir James Mitchell: You ought to make it a penalty to employ anybody.

Mr. CHESSON: I wish to create employment. I have employed a few men in my time, and have never had any difficulty about wages.

Hon. Sir James Mitchell: They must have been easy-going men.

Mr. CHESSON: They did not go to sleep on their job. I realise the apprentice difficulty. It should be incumbent upon employers to take apprentices and teach them a trade. Premiums should be abolished. In many trades enormous premiums are asked, and parents are not in a position to pay them. We do not want our boys to go to the Eastern States to learn trades; we want to provide opportunities for them here. The Bill provides for a 44-hour week. I am thoroughly in accord with that. When I was a boy in Adelong, New South Wales, I worked 44 hours. In the Charters Towers and other mining fields of Queensland, 44 hours constituted the week's work. In many occupations even 44 hours is too long. Only proper organisation is required to permit of the 44-hour week being observed. Machinery is playing an important part in our industrial life, and from it employers are getting a bigger

turnover. Sometimes it is found that one man can get out of a machine double the work that another man can get, although the individual effort exerted is no greater. Another man does not get the best results. Some men are more efficient in dealing with machinery than others. The efficient man will get the better results every time.

Hon. Sir James Mitchell: Of course he will.

Mr. CHESSON: The efficient man is using all his time and is utilising not only his hands, but his brains. He is giving the best results to the man who employs him.

Mr. Davy: He ought to get more wages.

Mr. Panton: That is the trouble. He gets the minimum.

Mr. CHESSON: If a man is working on piece-work he will make more money, if the employer finds the machinery.

Mr. Panton: If the employer lets him.

Mr. CHESSON: That is the difficulty in connection with mining. On the copper mines there is what is called a take. A man gets his take every month. If a man makes over a certain amount of money in a month his take is cut down next month. It means that the worker, in order to get a fair remuneration throughout his engagement, has to limit his output every month. If he is working all out he will be cut down to a bare existence in the following month. There is often no encouragement given to that class of work. In many callings a 44-hour week is quite long enough for a man to work.

Mr. Davy: Yes, in many.

Mr. CHESSON: How many clerks work 44 hours in a week? They scarcely work more than 38. If a man is doing hard work he is doing enough if he works 44 hours.

Mr. Davy: What about a man who is not doing laborious work?

Mr. CHESSON: It is the same for a man who is using his physical strength as for the man who is using his brains. The individual who gives 44 hours of his week to his employer is giving him enough.

Hon. Sir James Mitchell: There is no reason why he should do better if he does not want more money.

Mr. CHESSON: Conciliation must be backed up by a certain amount of force. On the 8th September, 1902, I was a member of the first conciliation board that sat in Coo. Warden Hicks was chairman of the board and the employers' representatives were Mr. U. Dudley of the Empire Gold Mining Co., and Mr. Hill, a clerk; and Mr. Ricketts and I represented the employees. The board came to a decision, and a certain time was allowed to either party to appeal. The decision went against the employers and they appealed. In nearly every instance when a conciliation board has sat one side or the other has appealed. Conciliation boards are not of much use. Compulsory conferences, designed to bring the parties together, to narrow down the scope of the



dispute, and sometimes to effect a settlement, are very much better. If the parties come to terms, the result can be made an award of the court. Conciliation boards are a waste of time to both parties. The Bill gives the right to the secretary of the union to supervise the carrying out of an award. For this purpose he can go into a factory. The representative of the union should have that power. The man who is out to better his fellow workers and makes himself conspicuous in the eyes of his employer is generally kept on the tramp. The secretary, however, is in a different position, and is an independent official. No one would take on the policing of an award unless the union he represents were prepared to pay him. The man best able to do this work is the secretary. The Bill is one that is best dealt with in Committee, when there will be plenty of opportunity for members to apply themselves to the different clauses. We all know the anomalies of the present Act which has, to a large extent, outlived its usefulness. The arbitration laws have not been amended for some years. If it had not been for the Arbitration Court, it is hard to say how many disputes might have occurred. When there is a big industrial dispute between employers and employees, there is stagnation in the State. The court has been the means of keeping the wheels of industry going, the workers have been able to exist, and everyone in the State has benefited. There are, however, many defects in the Act. Some allegations were made to the effect that the larger portion of the Bill has been compiled by the aid of scissors and paste. Personally I am not concerned as to whether the measure was compiled wholly by scissors and paste and contains nothing original. Every one of us must recognise that if he was carrying on an industry, and saw in another factory a machine giving much better results than the one he was using, and if he could fairly, and without jumping anybody's patent, apply that machine to his work, he would assuredly do it. And so, if we can beneficially apply sections of the Arbitration Acts of other Australian States and New Zealand to our conditions, we would be very foolish not to do so. Those other countries have had experience of the working of industrial arbitration, and we should take advantage of the improvements which have suggested themselves in those countries. Wages boards have been in operation elsewhere, while here we have been restricted to the Arbitration Court itself. I have long had a good deal of regard for wages boards, and I am indeed pleased at the introduction of a comprehensive measure like this, which embraces the present Arbitration Court and also the boards, thus providing against the congestion from which we have suffered for years. I intend, therefore, to vote for the second reading of the Bill.

On motion by Mr. North, debate adjourned.

#### BILL.—ROAD DISTRICTS RATES.

Returned from the Council without amendment.

*House adjourned at 10.53 p.m.*

### Legislative Council,

*Wednesday, 17th September, 1924.*

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The DEPUTY PRESIDENT took the Chair at 4.30 p.m., and read prayers.

#### QUESTION—CREAM SEPARATORS.

Hon. A. LOVEKIN asked the Colonial Secretary: Will he lay on the Table the file containing the correspondence connected with the agency acquired and the purchase by the State Implement Works of Swedish cream separators referred to in answer to the question of the Hon. H. A. Stephenson on the 11th instant?

The COLONIAL SECRETARY replied: As the State Implement Works might be placed at a disadvantage with its trade competitors were the details of its agency arrangements made public, there is an objection to placing the correspondence on the Table, but the papers will be made available to the hon. member for perusal, if he so desires.

#### QUESTION—RINDERPEST, CLAIMS FOR LOSSES.

Hon. G. POTTER asked the Colonial Secretary: What moneys, if any, are at present available from the Commonwealth Government for distribution to meet claims for losses incidental to the outbreak and control of rinderpest in Western Australia?