

have a very satisfactory system, one that has been successfully tried in three other States. Why should we build up another Government department to do work that can be more satisfactorily performed by the local authority? I am utterly opposed to the imposition of a tax of threepence per gallon on petrol. It is a very heavy tax. It is proposed to grant certain exemptions, but just how that is to be done equitably is altogether beyond me. It is a great injustice to impose such a tax on petrol used in a machine that is never on the road, as for instance a farmer's traction engine. It means that instead of paying 19s. 6d. per case for petrol the cost will be 21s. 6d. When, three or four years ago, a petrol tax was first mooted I tried to work out the exemptions in respect of farmers, but even now I cannot see how it is to be equitably done. In a settled country like Victoria this impost might be easy to carry, but in a developing State such as Western Australia it will inflict great hardship. We are trying to build roads for all time, and are finding the money now, when as a matter of fact the greater portion of the cost should be passed on to posterity, who will have the advantage of the development of the country. I trust that a select committee will be appointed to consider the Bill, for the report of that committee would put us in that position to do justice to the measure.

On motion by Hon. J. Duffell. debate adjourned.

*House adjourned at 5.53 p.m.*

## Legislative Assembly,

*Thursday, 3rd September, 1925.*

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

### QUESTION—TAXATION, LAND RETURNS.

Mr. E. B. JOHNSTON asked the Colonial Treasurer: 1, Is he aware that many farmers are only now ascertaining that it is necessary this year to fill in complete individual land tax returns, even if their holdings are the same as last year? 2, Is he aware that during the past week there has been a shortage of the necessary forms in many country centres? 3, In these circumstances will an extension of time for lodging land tax returns without fine be granted, at least until the end of this month?

The COLONIAL TREASURER replied: 1, No. An advertisement calling upon all persons who owned any land in Western Australia at noon on the 30th day of June, 1925, to furnish a full return on Form "A" to the Taxation Department, Perth, was inserted in all country newspapers once a week during the months of July and August, 1925. A similar advertisement was also inserted once a week in the following metropolitan newspapers during the same months: "West Australian," "Daily News," "Sunday Times," "Western Mail," "Truth," "Primary Producer," "W.A. Record," "Call," "Mirror," "Weekly Judge," "Elder's Weekly." 2, No. When supplies of land and income tax return forms are sent to postmasters, they are especially asked to requisition to the Taxation Department, Perth, for a replenishment of supplies should it be found that the original supply is insufficient to meet demands. 3, In all cases where extensions of time are asked for to lodge returns, owing to the fact that return forms were not obtainable at any centre, an extension of time is granted to lodge the return in question.

## QUESTION—AGRICULTURAL COLLEGE.

### *Appointment of Principal.*

Mr. STUBBS asked the Minister for Agriculture: 1, Was a committee appointed to make a recommendation for the appointment of principal of Muresk Agricultural College? 2, If so, who were the members of that committee? 3, Can he state when the appointment will be made?

The MINISTER FOR AGRICULTURE replied: 1, Yes; a committee was appointed by the Public Service Commissioner. 2, Mr. Sutton, Professor Shann, and Mr. Andrews. 3, The appointment will be made after the Government have had an opportunity to fully examine the qualifications of all the applicants. As the principal does not take up duties till the New Year the matter is not urgent.

## QUESTION—SEAMEN'S DISPUTE.

### *Action of Union Secretary.*

Mr. MANN asked the Minister for Justice: 1, Is he aware that the report in the "West Australian" of 2nd inst. discloses a distinct offence as having been committed by Mr. Houghton, secretary of the seamen's union at Fremantle, on 1st September, against Section 44 of the Criminal Code of this State? 2, If the report published in the "West Australian" is correct, will he take the necessary action through the Police Department to institute a prosecution?

The MINISTER FOR JUSTICE replied: 1, I am aware of the report, but it is rather unusual to ask a Government to agree that a distinct offence by an individual against the Criminal Code has been disclosed because of a newspaper report and apart from trial by jury. 2, The hon. member has my assurance that the Police Department will be no less zealous in the prosecution of its ordinary duties than when he was included in the police administration.

## BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the previous day.

**HON. G. TAYLOR** (Mt. Margaret) [4.37]: I have been a strong supporter of arbitration, but after 25 years' experience of it, not alone in Western Australia but in all

the States of the Commonwealth, and in the Commonwealth itself, I view with alarm the present arbitration methods as a means of creating peace between the industrial and commercial people of Australia. We have had strikes innumerable, lockouts untold, and stop-work meetings by the score. Still, we hold in this Parliament that arbitration is a great thing, and of great value. The court has been challenged by the Press, by the public, by the Labour Party, and by others. I read with some surprise the remarks of the president of the Federal Arbitration Court, Mr. Justice Powers. In defence of arbitration he put up a certain statement, to show that arbitration was infinitely better than the old method of strikes. So that I may not misrepresent the learned judge, I will read his remarks as they appear in one of the Victorian papers. The article was headed "Mr. Justice Powers in defence of Arbitration Court; Great Success," and continued—

After fixing the date for the hearing of the Federal Government's application for the deregistration of the Seamen's Union, Mr. Justice Powers yesterday declared that arbitration as a success and direct action a failure.

There was a notice of motion before the court, and Mr. Justice Powers said—

"I notice that the Press—not knowing what the powers of the court really are—is again saying the court has failed. One would think the losses and inconvenience to everybody caused by two unions adopting direct action lately instead of arbitration ought to prove what a great success it has been to prevent loss and inconvenience by those unions and hundreds of other unions for the past few years. It is proof that arbitration is a success, and direct action the failure. It always proves to be to the public particularly. Arbitrators do not as a rule enforce awards—other courts have to do so—and they are authorised in Australia to enforce them. All this court is empowered to do is to make laws as a legislative body, in settlement of disputes. It is as absurd to say that Parliament is a failure and should be abolished, because there are men who break every law it makes, as to say the court should be abolished because the laws it makes are not observed by one or two unions for a time, and no effort is made to enforce them in the proper courts. The court is a legislative body and must rely, as Parliament does, on the courts appointed by Parliament which enforce the law it makes. The laws are as enforceable as if made by Parliament. If the court is given, in addition, judicial powers it can only enforce them on applications by the parties injured by any unlawful act. The court has not failed to carry out the duties imposed upon it by Parliament, and it will not do so;

but it must rely on the parties and the Government applying to the courts, to enforce the laws it makes if they are not observed."

The contention of the president is that the court has not the power to enforce awards, and that it is not its function to enforce them. The deputy president, Mr. Justice Quick, also made remarks about the powers of the court, and is of a similar opinion to the president. The court had power under the Federal Arbitration Act, and I believe used that power, but the case was taken before the Federal High Court, which removed the power by giving the case against the court. It is not the court's duty now to enforce awards. What is the use of an Arbitration Act, or setting up a power to give decisions, if no power is granted for their enforcement? One cannot be blind to the fact that there are enforcement cases for breaches of the Act. I mean proper breaches of the Act, not breaches of awards. There are enforcement cases every day somewhere in Australia, because of small technical breaches of awards. Someone may have come in 10 minutes late, or someone may not have been paid for 10 minutes overtime. When, however, the Act is frequently broken, and there is no one to enforce the law, what is the use of it? Men absolutely defy the court. We have had it defied here. I know of one case, that happened 20 years ago, against employers and in that instance they were fined. This tended to curb employers for some time against committing breaches of the Act. In the first few years of the Arbitration Act there were very few cases of this kind. For the last 10 years I remember only one case where a fine was inflicted on the employees. That was in connection with the printers union. The fine was £50, and I believe it was paid, although efforts were made to have the money refunded. Such a matter, I believe, is handled by the officials of the Crown Law Department, and not by the Arbitration Court itself. I do not know whether any refund was made but, to the best of my belief, it was not. It is absolutely impossible to enforce any punishment for a serious breach of the Act. If a fine is imposed or punishment inflicted, the employer can be made to pay the penalty. On the other hand if we were dealing with employers in their thousands for breaches of awards, those employers would be just as anxious not to pay any penalty as the workers are now. If the employees commit breaches of the Act or of

awards, they cannot be punished because there is not enough holding room to cope with the position. With the employers, however, it is different. In justice to those concerned I admit that if the employers were being dealt with in the same numbers as the employees when breaches of the awards or Act have been committed, they would probably adopt the same attitude. We know, however, that we can enforce awards and punishments for serious breaches of the Act on one side, not on both. Thus we have a law for one side and not for the other. One section can defy Parliament and the courts of the country. That is a fact established beyond all doubt. Members of the Government know that infinitely better than I do. Their years of administration of Government must have proved that over and over again. They must realise that if they come into conflict with Government employees there is no chance of imposing punishment upon the men should they cease work or commit some other breach of the law. We have a demonstration of that fact in Queensland to-day. The railway employees there have tied up every form of railway transport.

Mr. Griffiths: And declared the Government black.

Hon. G. TAYLOR: According to the telegrams in the newspapers and according to reports that have been received they have tied up the position completely. All this time the Queensland Parliament has been sitting but we find that during the turmoil the House adjourned from Tuesday to the following Tuesday in the hope that in the meantime a settlement would be arrived at. Then again we notice from the Press reports that the strikers have declared the Government black. That is what happened in a country where Labour Governments have been in power continuously for 10 years or so! There have been three different Labour Premiers, and surely with the advantage of those three Administrations, more should be expected. If those Labour Governments cannot pass laws and provide conditions under which their own employees can work amicably and without friction, surely it is impossible to expect it to be done in other places for ordinary private employers. There the Government are the employers and have an unlimited purse. They are not dependent upon whether the work of government is paying or not. That

does not worry them one iota. The Government will not find themselves in the Bankruptcy Court if their railways do not pay. They are not in the same position as private traders. Then again the Government are not in competition with other people in the same line of business. So when they cannot make laws to satisfy their own employees, can you, Mr. Speaker, be surprised when I say that arbitration is a hopeless failure, in spite of the remarks of the President of the Federal Arbitration Court, that arbitration is a success. Can you blame me, Mr. Speaker, if, in view of existing circumstances, I express that opinion? I could traverse industrial history for the past 20 years since Labour Governments have been in power. I do not know that any Labour Government during that period have been given a fair chance by their own people. What has happened confirms the opinions I have formed since I have not been with the party. Look at the position in Queensland where there has been a long line of Labour Governments, longer than in any other part of Australia. They had one of the most capable men in Labour politics in Mr. Theodore and also in his predecessor, Mr. Thomas Ryan. Mr. Ryan was Premier for a few years, and then he found it necessary to get out of the position. He was so hounded by the Trades Hall and the unions that he sought refuge in the Federal Parliament. Later Mr. Theodore, perhaps the ablest man in the Labour movement in Australia to-day, found it difficult to remain in his position as Premier. He has got out of it quietly and will, if he is successful at the elections, represent one of the furthest northern seats in Queensland in the Federal Parliament. No doubt he will be successful.

Mr. Davy: They will all come to it, too.

Hon. G. TAYLOR: I warn the Premier that he must realise there are stormy seas ahead. In support of my statement that Mr. Theodore found it necessary to get out of his position as State Premier, I would draw attention to the statement made by the Railway Union in May, June or July of last year. Sometime during those months the railway unionists called public meetings in Roma-street, Brisbane, and those meetings condemned Mr. Theodore as a traitor to the Labour movement. They denounced him, saying that he had gone to America and sold the country. They said they were going to declare him

black and turn him out of the Labour movement. Meetings were held at Rockhampton in the north with a similar result—"Black Theodore!" No wonder Mr. Theodore found it necessary to leave State politics with a view to entering the Federal arena. That is what happened in that State, and I declare to Ministers sitting on the Treasury bench here that it is absolutely impossible, constitutionally impossible, for a Labour Government to control the Labour people and enforce our arbitration laws. What chance would they have if a serious breach of the Arbitration Act were committed and a band of unionists were imprisoned for a long period? What chance would the Government of the day have if they allowed that to be done? What would happen to them at the next election when the selection ballot was held by the unions?

Mr. Richardson: It would be "outski" with them.

Hon. G. TAYLOR: The Premier and his colleagues would not be selected by the unionists. If arbitration is to be a success in Western Australia and we are to make it possible for a Labour Government to administer the affairs of the country, we must amend the Electoral Act, by making it an offence to hold any selection ballots prior to an election. If Ministers carry out their duties in accordance with their own views and in the best interests of the country, they should have an opportunity of contesting their seats again without being controlled by a handful of unionists. Perhaps there may be a couple of hundred exercising the vote in the selection ballot in a constituency where there are thousands of voters. Yet the small band of unionists would decide whether the Premier or one or other of his colleagues was fit to stand for a seat in Parliament. I repeat that I am satisfied it is constitutionally impossible for any Labour Government under present-day conditions to enforce penalties for breaches of the Arbitration Act. There can be no doubt on that score. Take the position regarding the Federal Arbitration Court. Federal Arbitration deals with big industrial questions, not petty ones. I realise that the Premier after his visit to the Old Land, no matter how wide his vision may have been before, has had that vision considerably widened. He treated the no-confidence motion in this Chamber in a very jocular manner because he said it referred to a tin-pot sort of strike. On the other hand we cannot say

that those strikes which come within the jurisdiction of the Federal Arbitration Court are small. There are indeed large and important strikes. It is impossible to go before that court unless the industrial disturbance has affected the States as a whole. That makes it all the more serious and patent that arbitration is an absolute failure. I am sorry for that, because I thought arbitration would prove a success. I have had personal experience in connection with arbitration matters, and I have fought cases before the Arbitration Court on behalf of the men. The basis on which the cases had to be fought was repugnant, particularly when it was gone into thoroughly. It was necessary to call workers to produce their bills to ascertain what it cost to feed them, and how much they could or could not eat. It was necessary to satisfy the court that the men were not earning enough to feed and clothe their families. They should not be expected to say upon how little they could exist or upon how little they could clothe their families with an inferior class of clothing and so on. That is not the sort of system we should perpetuate. A man should get what he can earn; I do not care how much it may be. If a man can earn £20 a week he is entitled to it. If a man can earn only 20s. a week, that is all he should get. It would be a pity for that man, but that is his look out. Many men cannot earn wages because they will not try and they do not wish to take on hard work. How can it be expected that men will work in England? A boy who was 16 years of age and is now 20 or 22 may not have done a stroke of work during the intervening years. He has existed on doles. How can people be expected to come out here and work under such a system? We are fast drifting into a similar position in Western Australia. We have unemployed around us and they ask us for work. Some people are hard enough to say that the unemployed are praying to God that they will not be able to find it. I have not been closely connected with them and I do not know whether they are legitimate workers or not. I have travelled through the country and I know that there is plenty of work available there. These people, however, do not appear to be able to undertake that class of work. It is difficult to get people to do hard work such as land clearing, road making, constructing water conservation works and so

on. Many people want to earn a living without working and they want Government support. People should not live in a fool's paradise. They should not be told that there will be industrial peace if we pass this Bill. I fail to see, if 10,000 or 12,000 people are involved, and punishment has to be imposed because of breaches of an award or of the Act, how it will be possible to control them, and have the law carried out even if the Bill be passed. I do not know of any form of punishment that will be carried out. I do not want people of this country to be told that there will be industrial peace if the Bill be passed. There are a number of objectionable clauses in the Bill from the standpoint of the peaceful work of industry. There are conditions included that are by no means satisfactory to at least one section under the Act. If they are to be enforced, great difficulties will be experienced. I was much surprised to hear the member for Forrest (Miss Holman) last night speak about workers getting only 52 weeks in a year and not full time at that, and that the mothers and children were largely the sufferers. I then expected that the hon. member, being a woman, would suggest something to relieve those mothers and children. However, nothing was forthcoming from her beyond the usual talk that we get from secretaries of unions and others not so keenly pushed as are those for whom they speak. I thought the hon. member would have suggested that before any lock-out or stop-work meeting was decided upon, the wives should have a say as to whether their husbands should knock off work. I know that if we were to give the children such a voice those children, being hungry, would say, "Go on Daddy, keep at work and wait for the Arbitration Court." They would not vote for a stop-work meeting.

Mr. Sleeman: Is that what your children would say?

Hon. G. TAYLOR: Probably, yes. I do not know what the hon. member's would say, if they take after their father. I expected something better from the member for Forrest. If I could put into the Bill anything that would prevent men from knocking off work without first consulting their wives, I would do it, because it is the wives and children who are the sufferers. Fifteen years ago in Perth I told a body of men that it was not they, but their wives

and children, who would suffer if a strike were declared, that the men themselves could go into a pub and have a glass of beer and a bit of counter luncheon. Of course the member for Forrest, in keeping with other members on that side, put it up that all the troubles arose because there was no work. But what does the labour report of the Commonwealth Statistician show? It shows that under the Navigation Act, between 1921 and 1924, the direct loss in wages by seamen and wharf labourers as a result of shipping disputes was £309,415. It shows, too, that in 1919 the loss was £314,000, and that the total loss in wages of all the trades unions affected that year was £757,680, representing 1,512,525 working days of 16,000 people. That was so much enforced idleness brought about by, we know who. All that has been caused by two disturbing elements, two foreigners, two men who do not belong to the country, but who nevertheless are tolerated here. And we find Governments defending them, and the Premier of New South Wales refusing to allow the police of that State to help the Federal Government enforce its laws. Is that what we should expect from a Government? If Governments will not enforce laws, what is the use of our making them? If our Premier could but silence the workers and make them obey the laws of the Arbitration Court as well as he can silence members on his side in this House when I am on my feet, all might be well. If the Premier had the same power over the workers outside as he has over his followers here, we should have a peaceful and prosperous country, a thriving, smiling and happy people in a happy land. But he cannot do that. I compliment the Premier on having sufficient persuasion to keep his followers here in order. It is quite a treat to see them sitting quiet while I am speaking. It is a pleasure to be able to get up in the House and pass remarks without being hounded as if a lot of dingoes were let loose. Presently there will be no necessity to have a Speaker in the House.

Mr. E. B. Johnston: You are specially favoured.

Hon. G. TAYLOR: I am, and it is about time. But we are not the only people in the Commonwealth that have difficulties and that are threatened. What is behind the whole of the industrial troubles in Australia is, not wages, but the using of the workers in order that some people may be able to

get on top and disorganise society. I have no desire to break up this wonderful silence on the Government side of the House, but I cannot refrain from reading a newspaper clipping to show the House what is behind all these industrial upheavals, that they are not brought about for the benefit of the worker. This is the clipping:—

#### COMMUNISM. Congress in Glasgow.

London, May 31. Extraordinary incidents marked the annual congress in Glasgow of the Communist Party of Great Britain. Two strangers made the morning sitting almost unbearable. Having obtained admittance by a subterfuge, they distributed stink powder. A feature of the congress was a procession of children, who bore a flag inscribed with the words, "Long live Leninism." The executive committee reported that the slogan of the Communists would be in future "Mass Party." They would lead the working class against capitalism on class lines, rejecting the "reformism" of labourites such as Messrs. Ramsay MacDonald, J. R. Clynes, and Sidney Webb. Speakers attacked especially Messrs. MacDonald, J. H. Thomas, Arthur Henderson, and Sir W. Joynson-Hicks (the Home Secretary).

What is behind these industrial upheavals is the inculcating into the people of a feeling of disrespect for the law. No one knows it better than you Sir, for you have had long experience of human nature and of all sections of the community, and you know that what I am saying is perfectly true. It is of no use telling me that by passing the Bill we shall remove the existing trouble. All the Arbitration Acts in the world will never remove this sentiment of teaching children to wave a flag and shout, "Long live Leninism." It is time someone in this country rose up and protested against it, regardless of how objectionable such an action might be to a section. I hope the Premier will do it. The Premier does not like this: he knows that he has to pander to the noisy section. He felt the pressure of Lang's thumb on him when he had to sign up the other day. He does not like to be told home truths; he likes an Opposition that will play along nicely and gently. But it is up to somebody to tell the country what is the best thing to do for the workers, that it is not to be led by the nose by Johannsen, who cannot speak their language properly and does not know where he was born. I know the Government are not enamoured of Walsh, but when he was successful in getting Lang to put on the pressure the Premier had to forego his antipathies. It is

idle for the Premier to laugh. I heard the Minister for Works say that the disturbance in Fremantle had been successfully handled by his Government. That was when the police were ordered to go there by the disputes committee, not by the Government. The men realised that their bosses were at work. The disputes committee issued a mandate that the police must get on the scene. That is what stopped the strike. The Government handed over the police force to the disputes committee, and so they got fixed up with Walsh. He was not accustomed to being spoken to by committees, and so he irritated them, and they said, "We will get the police." Yet now Ministers claim that it was they who quelled the strike. Constitutionally, the Premier and his Government are incapable of doing anything of the sort, for the reason I have indicated, namely that the selection ballot would kill him if he did. He knows that full well. If arbitration were likely to be a success I would certainly support it, but I am not going to allow anyone to make me believe that by passing the Bill we shall have no more industrial upheavals. I am not going to be a party to inducing the people of the country to live in a fool's paradise, or to believe that the Bill will be a panacea for all industrial ills.

**MR. HUGHES** (East Perth) [5.13]: After listening spell bound for half an hour to the utterances of the member for Mt. Margaret dilating upon the difficulty there is in getting the employees to obey the Arbitration Court I feel inclined to give the House a little information as to who strictly obeys the Court, the employer or the employee. Last night the Leader of the Opposition referred to the terrible offence of the hotel and restaurant employees in violating an award of the court. The hon. member considered that when an award was made for a period, the members of the Hotel and Restaurant Employees' Union were bound to obey it. Because they committed one alleged breach of the award, he waxed indignant. What of the other side? Does the hon. member know that employers have committed 76 breaches as compared with the union's one breach? One particular union has been castigated for breaking the award, while the people responsible through their representatives for administering the castigation have committed 76 breaches.

Hon. G. Taylor: I dealt with the Act, not the award.

Mr. Marshall: We have had so many acts from you that we understand you only too well.

Mr. HUGHES: Is not a breach of an award a breach of the Act? Awards and agreements stipulate the conditions. This union has been castigated for one alleged breach, and the union consists of little girls, the weaker section of the community.

Mr. Richardson: Pretty husky girls, some of them.

Mr. HUGHES: I can recollect when those girls had no protection and when they worked any old hours for any old pay that the boss chose to give them. I know a man who came from the Goldfields to enter the business, and when he found that waitresses were receiving 21s. he wanted to raise them to 25s., but the screw was put upon him by other employers. If the member for Mt. Margaret desires to have the details, I can give a list of employers who were guilty of breaches of the award prior to any suggestion of the union violating it.

Hon. G. Taylor: I suppose they were prosecuted.

Mr. HUGHES: One would think that the employees had no respect for the award, and would not carry out the provisions of the Act. Yet the member for Northam did not mention that the employers had failed to observe the Act. The 76 cases relate chiefly to deductions from wages of little girls who, in a properly civilised community, would be at home with their parents instead of out earning a living. Because those girls had to go out to earn a living, the employers endeavoured to take advantage of them by not paying the wages due to them.

Hon. G. Taylor: No one approves of that.

Mr. HUGHES: If one party to a contract violates it, surely the other party's obligation is dissolved. When the union had entered into a contract with the employers, were the employers justified in committing 76 breaches of the contract?

Hon. Sir James Mitchell: No; they were prosecuted every time.

Mr. HUGHES: Does the hon. member not admit that those breaches on the part of employers warranted the union in dissolving the agreement? If the hon. member had a private contract, and the other party violated it, he would hold it dissolved if it was to his interest to do so. The men

who violated this contract have no right to come to the House and lodge a complaint against the employees. We have had read to us a statement from a man appealing for law and order and for the enforcement of the conditions against the workers. Yet that same man had to be threatened with legal proceedings before his employees could get their wages. Why did he not include that fact in his statement to the hon. member? He forgot to say that while he was seeking the protection of this House he himself was a double defaulter.

Hon. G. Taylor: I do not know anything about that.

Hon. Sir James Mitchell: Neither do I.

Mr. HUGHES: Did the hon. member take any steps to find out?

Hon. Sir James Mitchell: How could I?

Mr. HUGHES: The man concerned was sitting in the gallery while the hon. member was speaking. When he went to one of the hon. member's lieutenants and made the statement, was he asked whether he had complied with the award?

Hon. Sir James Mitchell: No one brought me a statement.

Mr. HUGHES: The hon. member's colleague had a statement from a man who runs a refreshment room.

Mr. Davy: Suppose it is true, what is the deduction?

Mr. HUGHES: The employers had committed 76 breaches of the award and the union was entitled to dissolve the agreement.

Mr. Davy: Do you say the union was entitled to break the law, which had nothing to do with the award, and let the public go hang?

Mr. HUGHES: Does the hon. member contend that of two parties to a contract one is to be at liberty to commit as many breaches as he likes, and then come to Parliament and demand the castigation of the other party who has committed only one breach?

Mr. Davy: That matter has nothing to do with a contract. The Arbitration Act forbids striking.

Mr. HUGHES: Members wanted the union to be castigated, because its members went on strike.

Mr. Davy: Most decidedly, but in the interests of the public and not of the employers.

Mr. HUGHES: The hon. member forgets that when awards and agreements are

entered into, the obligation to observe them rests upon the employers equally with the employees. When an employer breaks an award, he breaks the Act. On behalf of the little girls who are forced to earn their living as waitresses—

Hon. G. Taylor: Oh, why not bring in the widows and orphans?

Mr. HUGHES: Did not the hon. member, when he held us spellbound for half an hour, dilate upon the little children?

Hon. G. Taylor: I was referring to the people on your bench.

Mr. HUGHES: Those breaches by employers indicate their disrespect for the dictates of the Arbitration Court.

Mr. Davy: They should be and no doubt were prosecuted.

Mr. HUGHES: Was not the union prosecuted? Was not there an application to the court for deregistration? What more could be done?

Mr. Davy: A great deal more.

Mr. HUGHES: Was not deregistration the extreme penalty that could be asked?

Hon. Sir James Mitchell: What has that to do with us?

Mr. HUGHES: The member for Northam sought to show by statement and inference that the employees had no respect for awards, and that they had violated agreements entered into with the employers.

Hon. Sir James Mitchell: Certainly.

Mr. HUGHES: He also said that the hotel and restaurant employees went on strike for increased wages before the term of the award had expired.

Hon. Sir James Mitchell: I did not say anything of the sort. They went on strike for preference to unionists before the award had expired.

Mr. HUGHES: The hon. member dwelt on the breach committed by the employees. Now I am giving him 76 breaches committed by the employers.

Hon. Sir James Mitchell: You have not given us one.

Mr. HUGHES: I can give the whole 76.

Mr. Davy: Well, prosecute them and have done with it! They ought to be prosecuted.

Mr. HUGHES: Members castigate the union, but when we bring before Parliament details of the sins of the employers, we are told to prosecute them.

Hon. G. Taylor: They are prosecuted in some instances, are they not?



Mr. HUGHES: These 76 cases show that the employers will evade an award if they possibly can. Yet the employers' representatives come to this Parliament and complain that the employees will not obey the award.

Hon. Sir James Mitchell: On a point of order, Mr. Speaker, has the hon. member a right to say that we come here as the employers' representatives?

Mr. SPEAKER: The hon. member has no right to impute motives.

Mr. HUGHES: If the hon. member objects to being termed the employers' representative, I shall withdraw it. The member for Mr. Margaret (Hon. G. Taylor) referred to the number of members in the union and asked in the event of a breach of an award being punished by imprisonment, what gaol would be big enough to contain them.

Hon. G. Taylor: It would not be a very good form of punishment, either.

Mr. HUGHES: I should like to know what gaol would contain the 76 employers who have committed breaches of the award.

Hon. G. Taylor: You could have them fined.

Mr. HUGHES: Does the hon. member contend that it is wrong for an employee and right for an employer to break an award?

Mr. Davy: Who suggested such a thing?

Mr. HUGHES: I have not heard anything from the Opposition of breaches committed by the employers.

Hon. G. Taylor: I said that if the employers numbered as many as the employees, they would be just as likely to break awards.

Mr. HUGHES: Although there is such a disparity in the numbers of employers, we find that in one industry in Perth during the last two and a half years they have committed 76 breaches of the award as against one committed by the employees.

Mr. Davy: Do not keep on repeating it! Have them prosecuted!

Mr. HUGHES: I could give full details of the cases which are mostly short payments of wages. What right has anyone to come here and complain of employees not observing the award when the employers have committed so many breaches?

Mr. Sampson: Does reiteration make it a fact?

Mr. Lindsay: You have told us that six times already.

Mr. HUGHES: Members opposite do not like to hear the facts. They do not like to see the employer taking his place with respect to breaches of awards.

Mr. Davy: The Arbitration Court spends half its time judging complaints against employers.

Mr. HUGHES: Yes, and there are dozens of cases which do not get to the court, cases in which the union is forced to threaten legal proceedings, whereupon payment is made. Were it not for the unions hattling for the rights of the workers, all those breaches would not come before the court, and the court would not award to employees hundreds of pounds of wages legitimately earned. To show the need for unionism, let me give the case of two young men employed in a city restaurant. They were Greeks, and unable to speak English. Their employer was a compatriot. During the first week one employee worked 105 hours, during the second week the same number of hours, during the third week 91 hours, during the fourth week 90 hours, during the fifth week 82 hours, and during the sixth week 91 hours. He must have been almost like an employee of the member for Toodyay (Mr. Lindsay). During the eighth week he worked 91 hours, and thereafter he was sick. He worked those magnificent hours for £1 per week.

Hon. G. Taylor: Was that lately?

Mr. HUGHES: Within the last six months. And the other case is similar. The damage is not only to the employees immediately concerned, but also to white men who are trying to run restaurants while observing the conditions and rates of arbitration awards. It is not possible for the white employer to work his men 105 hours in a week. Fortunately another Greek, who had been some time in Australia, happened to come into town and get into touch with these two young fellows, and the union was able to take steps against the employer. The other Greek acted as interpreter for these two young fellows.

Mr. Richardson: They should not have been allowed to land if they could not speak English.

Mr. HUGHES: I do not know how they managed to pass the language test. Has the member for Mt. Margaret any time for an employer like that?

Hon. G. Taylor: None at all.

**Mr. HUGHES:** How can a white man compete in such circumstances?

**Hon. G. Taylor:** I certainly do not uphold the employer in such tactics for one moment, and the hon. member knows that.

**Mr. Sampson:** That sort of thing should be prevented. What do you suggest?

**Mr. HUGHES:** These are the things that cause strikes. These things constitute one of the reasons why we ask for preference to unionists. I am not condemning the two young Greeks—lads who probably have not attained their majority, who were in a strange country, with nowhere to go and nothing to eat. They simply had to take what was offered them.

**Hon. G. Taylor:** I suppose they thought the wages good.

**Mr. HUGHES:** They did not think so after learning the local conditions. If we want to eliminate strikes, the first step is to induce the employers to stand up to awards and agreements. If that is done, nine-tenths of the friction that causes strikes would be eliminated. I am not asking that the employer should give more than award rates, but that he should comply with the award. If members opposite really want arbitration to be a success, they have a golden opportunity to use their influence with the employers.

**Hon. G. Taylor:** We have none.

**Mr. HUGHES:** I thought hon. members opposite were the mouthpiece of the employers.

**Hon. G. Taylor:** You are quite wrong there.

**Mr. HUGHES:** In my opinion, the cause of strikes is that the employer evades the award whenever he gets an opportunity. It is only when the union is strong enough to compel him that he will obey the award. Otherwise the employees suffer. The provisions of the Bill have been fully discussed already. I have simply submitted certain figures so that hon. members might have an opportunity of seeing the true position regarding the hotel and restaurant employees. I think their case is unanswerable. There was one breach of the award by the employees as against 76 breaches by the employers, and thus the employees were absolved from observing the award. If a union enters into an agreement, it is not to be contended that only the employees are bound by it.

**Hon. G. Taylor:** No one suggests that.

**MR. BROWN** (Pingelly) [5.36]: I am still of the same opinion as I was last session. Being a great believer in arbitration, I consider all disputes should be settled by that method. But has the world reached that happy stage yet? I hardly think so. Great Labour Congresses are held at Geneva and the Hague with the object of settling questions by arbitration, even international questions. At such congresses it is contended that there should be no such thing as war. However, the very men who advocate industrial and international arbitration are the first to break agreements. Look at the sorry spectacle we have at the present moment—a large mail steamer hung up at Fremantle, and another big boat similarly delayed. Do the men concerned consider what hardships and privations they are inflicting on the community in general and also on the passengers? Not at all. They say, "If we cannot get what we want by arbitration, we will resort to direct action." If this Bill becomes law and settles all disputes by arbitration, the Minister for Works will make an everlasting monument to his name. I am not so sanguine, however. Looking at the past history of the workers we find that an award in their favour is all right, but an award not in their favour is all wrong. One of my objections to the Bill is that the president of the court is not necessarily to be a Supreme Court judge. I hold that the president should be a legally qualified man, utterly unbiassed and accustomed to weigh evidence. Suppose I were appointed president of the Arbitration Court and a question affecting farmers came up: what would my opponents immediately say? That I was biassed and had my mind running in only one direction. I listened with pleasure to the excellent speech delivered by the member for Menzies (Mr. Panton) on this Bill. I admired it very much, but he omitted the cardinal point, which is, how will industry be affected if higher wages and lesser hours are granted? That aspect the hon. member left severely alone. I also admired very much the speech of the member for Forrest (Miss Holman). However, her mind also was running in only one direction. She spoke entirely for the timber workers. Her contention was that the companies were making huge profits and were not paying the workers as they should be paid. If the timber employers are making huge profits, the Gov-

ernment of the day must also be making huge profits, because they all charge the same for timber.

Mr. Richardson: They are all in the combine.

Mr. BROWN: Yes. There must be a ring. The very people the member for Forrest upholds are, therefore, sweating the workers.

Miss Holman: But the Government gave the workers the benefit of the 44 hours.

Mr. BROWN: Yes, and I suppose very soon it will be 40 hours, and then 36.

Mr. Pantou: And then you wake up.

Mr. BROWN: Reverting to the appointment of the president of the court, I hope it will be made compulsorily a Supreme Court judge, free from all political control. In the past judges have been appointed from the ranks of politicians, but they have shown themselves broadminded enough when once on the bench to discard all except judicial considerations.

Mr. Sleeman: Did you ever know judges go on strike?

Mr. BROWN: Why should they go on strike? The whole industrial question hinges on the proper determination of the basic wage. Naturally, when the employer produces evidence it is evidence in his favour. On the other hand, when the worker asks a housewife to give evidence on his behalf, her evidence will be to the effect that the wages are insufficient. Take the case of two families having a breadwinner with an income of £5 per week. The one family will do well on that wage, and even make a home for themselves; the other family will always be in debt and difficulty. Naturally, from the second family evidence could be obtained to prove that a wage of £5 a week was not sufficient to live upon. I have been connected with a tiny agricultural industry, to which I referred last session. Since then I have had to get out of that industry, because after 12 months' trial of it, I found myself in debt. The men in that industry were getting rises in wages every year, and the employer was not being given any consideration. We must look to where the employer sells his products. If the purchasers of the products are not in a position to pay higher prices for them, what will be the result? The industry will be crippled, and the workers will be thrown out of employment. Therefore, I consider that the closest attention should be given to the determination of the basic wage. I am a great

believer in fair rates of wages, because they induce contentment and give the worker a chance to become an employer himself some day. If a thrifty man is working in an industry that does not give him a chance to earn sufficient money to blossom out for himself, there is something radically wrong with the industry. We know that the basic wage varies from month to month, whilst wages fixed by the Arbitration Court are usually for a period of 12 months. Now, we find the farmer selling his mutton at 3½d. per lb.

Mr. Sleeman: Who is getting the rest?

Mr. BROWN: I do not know. Just the other day I was standing opposite a butcher's shop when I noticed that beef was marked at 4½d. per lb., and shoulders of mutton at 5d. But we do not find any indication on the part of the worker to go to the Arbitration Court and say that as the cost of living is coming down, they are willing to work for lower wages. No, not at all.

Member: Where did you say those butcher's shops were?

Mr. BROWN: Not one shop, but several shops. I can take the hon. member to them. We find that the workers are led by men who have not the interests of the country at heart. Have we not read recently of the sorry spectacle of one man saying "To Hell with the British Empire." And yet that man is able to lead thousands.

Mr. Sleeman: Who said that?

Mr. BROWN: Walsh said it.

Mr. Sleeman: He said nothing of the kind; why do you not quote him properly?

Mr. BROWN: It is quite near enough for me. I would like to ask now what we are. Are we not British, and are we not always fighting on behalf of the British Empire? If there are people who will not comply with the conditions that are imposed by our arbitration laws, we should make it an offence when they behave as they have been doing, and impose heavy fines or send them to gaol. Then if they should be foreigners, we should certainly deport them. The sooner men of this kind are sent out of the country, the better it will be for everybody. Let me tell the workers that their actions are leading us on pretty closely to what might become a civil war. This kind of thing cannot go on much longer and drastic steps should be taken to check it. I have heard of industries asking for a reduction of the hours of labour to 36. We know of course that the occupation of mining is dangerous as

well as being very bad for the health. Have we not a sorry spectacle at Woeroloo where there are so many sufferers from miners' phthisis? I admit that miners should not be asked to work 48 hours. I say that 40 hours should be quite sufficient for those engaged in the avocation of mining, and they should get payment commensurate with the nature of the work they do. Of course we know that gold has not increased in value.

Mr. Marshall: This is the first time I have found myself in complete accord with you.

Mr. BROWN: I am very glad to know that. Now we come to those who are employed in farming operations. We know that they are not organised, and that perhaps it is difficult to organise this section of the community because they are scattered all over the place and the union secretaries are not able to get in touch with them. Capable men to-day are earning 50s. a week and their keep. Is that not very good payment at the present time? With regard to preference to unionists I have no material objection to it, but I do say that if a man asks for a job he should not always be compelled to show his union ticket before he gets that job. Probably next year I may be looking for a job and I may not have a ticket. But having got a job, it might be to my interests afterwards to apply for a union ticket. There are many men without any worldly possessions who get on the stump and say, "If you will follow my doctrine, you will get higher pay." Then it is only natural to expect that an expression of that kind will command followers. The sensible man of course should inquire for himself as to whether an industry can stand what is often asked of it. Coming back to the Bill, I would be in favour of nearly all the proposals contained in it with the exception perhaps of the few that I have mentioned. I assure the Minister, however, that if it fell to my lot to frame the Bill I would make it very drastic indeed, and provide heavy penalties for any breaches. In any case, I trust that in this State we shall not have men resorting to direct action instead of using common-sense in the settlement of disputes. In my opinion round table conferences are more satisfactory than anything else in the event of a dispute arising. More good can be done by getting a few sensible leaders together around a table than by fighting one against the other. But after all, human nature is human nature

and it is possible that the Bill when it becomes law, will be no better than any of the others that have preceded it. I hope, however, it will be the means of preventing trouble.

MR. SLEEMAN (Fremantle) [5.53]: I have been interested during the course of the debate to hear the views of members opposite. The Leader of the Opposition and the member for Mt. Margaret complained about the law being one-sided and that whilst one of the parties was forced to obey the law the other got off free. My experience is that it is the employer that breaks the award, and not the employee. Members opposite quoted the recent strike in Perth, but did not say a word about the attitude of the employers. To-day we had a question asked in this House about certain statements alleged to have been made at Fremantle by the Secretary of the Seamen's Union calculated to incite His Majesty's subjects, and it was suggested that Section 44 of the Criminal Code should be made to apply to him.

Mr. Thomson: Well, did he not do so?

Mr. SLEEMAN: I do not know, but I do know that during the recent strike employers from Perth went to Fremantle and endeavoured to coerce those who were prepared to carry on the game, to close down their premises. The Perth employers offered to pay the expenses of the Fremantle people if they would only close down their establishments, and in one instance offered £300 to one individual if he would agree to the proposal. If Section 44 of the Criminal Code is to be made to apply to a union secretary, it should also be made to apply to employers who would do anything in the nature of what I have just said. Everything was quiet in Fremantle and the member for Perth knows as well as I do that there were men holding high positions in Perth, endeavouring to bribe Fremantle slopkeepers to close down for the purpose solely of injuring the workers. I am pleased to say that none of the Fremantle people closed down. With regard to the Bill, I am glad to know that it is not proposed to make it compulsory for a judge of the Supreme Court to occupy the position of President of the Arbitration Court. Have we not had the spectacle of Supreme Court judges practically refusing duty in this country? If it is possible for a Supreme Court judge to go on strike—

Hon. Sir James Mitchell: You must not criticise the judges.

Mr. SLEEMAN: I am not questioning their integrity; I am merely saying that they have a right to go on strike, just as much as anybody else if they wish to do so. The fact remains that they have gone on strike. The member for Swan (Mr. Sampson) the other night objected to awards being made retrospective. That seems to me to be one-sided. If members of a union went on strike the hon. member would be the first to complain. If they agreed to continue to work until the court heard their case, would it not be fair that whatever award was made, it should be retrospective? But no, the hon. member raises a hue and cry about this. The hon. member also said that I advocated that persons should remain unskilled. I deny that I ever said anything of the sort.

Mr. Sampson: It is satisfactory to know that.

Mr. SLEEMAN: We should have more skilled labour, but we should also have more industries to absorb that skilled labour. When we have both we should be loyal and support them. Unfortunately, such a happy position does not exist in Western Australia at the present time. We know only too well the fate of some of the industries that have been started in the State. Quite a number of people around us can see no good whatever in anything that is made in Western Australia, implements, jams, crockery, etc. There is one matter that I do not agree with, and it is the provision for a basic wage which is only just sufficient for the normal and reasonable needs of the average worker and his family. I take it that something more than that is required. He needs to live in reasonable comfort during the time he is able to work, and some provision should be made to enable him to put away a little for his old age. With the present basic wage, a worker cannot put anything at all aside, and his outlook is the Old Men's Home, when he is too old to work any longer. Complaints have also been made that the wives of workers have to toil at their household duties very long hours. I agree that they do, and I would be the first to say that those women should be entitled to some assistance. But with the attitude that is being taken up by members opposite, workers' wives are not likely to get any assistance. These women are as much en-

titled to help in the home, especially when they have two or three children, as are the wives of the employers. Someone suggested the other night that there was not much difference between the homes of both so far as work was concerned. I disagree with that. The employer lives in luxury and has three or four servants.

Mr. Thomson: You cannot get servants.

Mr. SLEEMAN: Some employers have as many as two or three servants, and are not always prepared to grant them reasonably comfortable conditions. They work the girls all hours of the night to prepare late suppers on their return from the theatres and generally to enable them to indulge in fashionable living. The wife of the worker is as much entitled to assistance in the home as is the wife of the employer.

Mr. Thomson: How do you propose to get such help?

Mr. SLEEMAN: By allowing workers a higher basic wage than is provided at present. The other night members of the Opposition were shedding crocodile tears over the number of hours worked by the wives of industrialists, but they will not assist me to get domestic help for those people.

Mr. Thomson: Even if we did assist you, it would not be possible to get such help.

Mr. SLEEMAN: The member for Mount Margaret said the unemployed were looking for work and praying they would not find it.

Hon. G. Taylor: I did not say that. I said some people would be ungenerous enough to say it.

Mr. SLEEMAN: Anyhow the statement is not true. At Fremantle this morning 30 men were picked up for work, and 90 more could have been obtained. The anxiety of all those men to get work was most noticeable. It is wrong to suggest that the unemployed do not desire work. I grant that some of the unemployed are not genuine, but there are a good and bad in all classes. Amongst the unemployed the percentage of "goods" is very high, and only a few are not genuinely desirous of getting work. Quite a lot of complaints have been made about foreigners being permitted to remain here and cause trouble. If foreigners had not been allowed to remain here, conditions would have been much better than they are. Most of the farmers are getting their work done by foreigners, and that is partly the reason for the acuteness of the unemployed problem at present.

Mr. Lindsay: How do you know that?

Mr. SLEEMAN: It was stated in the report of the secretary of the New Settlers' League.

Mr. Lindsay: I travel through the country as much as anyone, and I have not noticed that sort of thing.

Mr. SPEAKER: I ask hon. members, especially the older members of this Chamber, to assist to carry out the Standing Orders. Standing Order No. 136 provides that no member shall interrupt another member while speaking, unless to request that his words be taken down, to call attention to a point of order, or to call attention to the want of a quorum. It is of no use our having Standing Orders unless members themselves observe them. I trust therefore, that I shall not have to take other steps to preserve order.

Mr. SLEEMAN: The member for Mount Margaret said that if the wives and children were consulted regarding industrial troubles, they would say, "Go on Daddy." I wonder if the hon. member took that view in years gone by. Doubtless he was associated with many industrial troubles, but I daresay that if wife and children had said to him "Go on, Daddy," it would not have had much effect upon him. If a man allowed his wife and children to starve, they would think less of him than for ceasing work and standing for a living wage. I do not hold with direct action, but in many instances there is no alternative to striking in order to obtain reasonable wages and conditions. Most strikes are caused, not by the workers, but by the employers. The average worker does not wish to go out on strike, because he is the loser every time. The employer can sit back and, when work is resumed, his profits come in just the same. I hope that in Committee members of the Opposition will help us to get some assistance for the housewife so that she will not continue to be the slave of long hours that she is at present.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Mr. Lutley in the Chair; the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4 of principal Act:

Hon. Sir JAMES MITCHELL: The Minister proposes to alter the definition of "employer" by including the Crown or any Minister of the Crown. Why is that necessary?

The MINISTER FOR WORKS: At present the Crown can be cited only by petition, and thus is not treated as an ordinary employer. If the iron trades proceed in the Arbitration Court, the Government cannot be joined in an application affecting other employers. The object of the amendment is to put the Government on the same footing as are private employers. Thus all Government employees other than those covered by the Public Service Act will come under this measure. For instance, school teachers if they so desire, may approach the court.

Mr. Thomson: Will the police be able to do so?

The MINISTER FOR WORKS: Yes; they can form a union and approach the court. At present the police have an association.

Hon. Sir JAMES MITCHELL: The Minister indicates that this will make the process easier. I do not think there has been any difficulty in the past. The railway employees, for instance, have always been able to go to the court. I suppose there can be no disputing the right of all Government employees to approach some tribunal since so many of them already have that right, but the Government should stand by awards of the court and should not exceed what the court has granted. It should not be necessary for the court to be charged with the responsibility of fixing so many conditions outside of wages and hours, especially for employees of the Government. The Government is an ideal employer.

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

Hon. Sir JAMES MITCHELL: It would be better that civil servants who come under the Public Service Act should be dealt with under that Act. It would also be better that school teachers should come under the Public Service Act than the Arbitration Act. Employees at Parliament House do not come under the Public Service Act, and when vacancies occur in the public service they cannot be appointed to such positions. The school teachers, for the same reason, cannot enter the civil service, though it might often be an advantage that

it should be possible for them to do so. It would be difficult for the Arbitration Court to deal with the many grades of teachers, and for it to do so might upset the present arrangement of classification according to examination. A great deal of additional work may be thrown upon the court if teachers, as well as members of the police force, are entitled to go before it. Does not the Minister think it will be overloading the court with work if it has to decide separately claims made by these various classes of officers?

**THE MINISTER FOR WORKS:** The constitution of the court is being altered. It is being given a number of subsidiary tribunals to deal with industrial matters. If it came to a question of dealing with any section of the Government service I have no doubt the court would set up a special board for the purpose. Appeals could be made to the court against the decisions of the board. It is wrong to ask Ministers to fix the wages of Government employees.

**Hon. Sir James Mitchell:** I agree with that.

**THE MINISTER FOR WORKS:** The Minister was asked to fix the salaries of members of the police force. We, therefore, appointed a board, without statutory authority, to make recommendations to the Minister, and the Government decided to accept the recommendations of the board. If the police force choose to do so they can form an organisation, register it, and apply to the court. The school teachers, and any section of Government employees, except those mentioned in paragraph 6 can do the same thing.

**Hon. Sir James Mitchell:** What about the school teachers?

**THE MINISTER FOR WORKS:** I have not given that phase of the question much consideration. I do not know that the school teachers have made any request along these lines.

**Hon. Sir James Mitchell:** I do not think they have.

**THE MINISTER FOR WORKS:** This Bill merely leaves open the way to these people to go to the court if they so desire. The main object is to deal with the wages of Government employees so that they may be placed on the same footing as outside employees. Government employees should be afforded means of having their wages and conditions fixed by the court. Cabinet

should not be called upon to perform that duty. If the teachers or the police were brought under the Public Service Act they would no longer be covered by the Arbitration Act.

**Hon. Sir JAMES MITCHELL:** No Government should be called upon to fix the wages of large bodies of men employed by the State. Such a procedure would leave the way open to grave abuses. Every Minister is not capable of deciding what wages should be paid. It would be of advantage to the teachers if they came under the Public Service Act. Some means should be devised of separating from the seniors the rank and file who go to the court. The seniors should have their remuneration determined by some other tribunal than the Arbitration Court. Even with the proposed boards and the right of appeal, the court will have a good deal more work to do than it will be able to do in the time at its disposal. I am not quite clear as to what will be the position of clubs in the matter of inspection. It would certainly be most undesirable to make a club subject to inspection at any hour of the day or night by any person appointed for the purpose by a union president or union secretary.

**Hon. G. TAYLOR:** Every person, whether in the Government or out of it, should be able to avail himself of the Arbitration Court; but I do not think it wise that the police should go to the Arbitration Court, or that they should be in any other association than a friendly association among themselves. Their situation is utterly different from that of any other body of workers. In the police, each officer gives orders to subordinates.

**Mr. Chesson:** The police have an association.

**Hon. G. TAYLOR:** Yes, but the Government should give the police force the pay to which they are entitled without their having to go to the Arbitration Court. In my opinion the police should be more highly paid than any other section of workers, because they are called upon to ensure observance of the law without respect of persons. Policemen have delicate and sometimes objectionable duties to perform, in connection with which they are liable to give offence to members of the community. Their pay should be liberal enough to make them a harmoniously working

force. At a union meeting of police there would be fine opportunities for a man to deal out a bit of "stoush" to his superior officer. The police should be made perfectly satisfied with their job and their pay, without any need for appealing to the court.

The Premier: We are finding £25,000 extra in salaries this year for 500 men. The police are very well paid now.

Hon. G. TAYLOR: I am pleased to hear it, and I am sure, then, that the police will be satisfied.

Hon. Sir JAMES MITCHELL: I would like the Minister to make it clear that Government officials need not join a union in order to approach the Arbitration Court.

The MINISTER FOR WORKS: It is clear that no one can approach the court unless he is a member of a registered association. Under this clause the police, if desirous of approaching the Arbitration Court, will have power to register the association which they have already formed, to change its name and call it a union.

Hon. Sir James Mitchell: But you do not think that would be wise?

The MINISTER FOR WORKS: Yes, because a few weeks ago the Government were called upon to fix the pay of the police.

Mr. Latham: You appointed a board to do it.

The MINISTER FOR WORKS: That was how we got out of the difficulty. If we had not appointed the board, we would have had to fix the wages ourselves; and what would have been our position if the police had refused to accept those wages? I thought the member for Mt. Margaret was too experienced in organisation to imagine that any union took in the heads as well as the rank and file. A trade union does not include the manager, or the accountant, or the overseer or foreman. When the Police Association apply for registration, they will have to define in their constitution whom the union is intended to embrace. Their application will be open to objection by the Commissioner of Police. If he objects the Arbitration Court will decide. Some unions take in foremen; others call upon members who become foremen to retire.

Hon. G. Taylor: There are so many officers in the police force who are in positions of authority.

The MINISTER FOR WORKS: When application is made to the court for registration, objection can be taken to certain officers being included, and it will be for the court to decide.

Hon. G. Taylor: It is inconsistent for the bosses and the men to be in the same union.

The MINISTER FOR WORKS: The men would be very foolish indeed if they had the bosses in the union. As a matter of fact, they do not include them. We propose to include clubs. The court recently gave a ruling setting out that only certain clubs were covered by the Act.

Mr. Davy: The court made a distinction between clubs that are registered companies and those that have no legal entity.

The MINISTER FOR WORKS: That is so. I do not see any difference between a club and an hotel.

Mr. Thomson: There is a big difference.

Mr. Davy: A club is run for the benefit of its members and an hotel is run for profit.

The MINISTER FOR WORKS: If a man lives at an hotel, that is his home for the time being, just as much as a club would be. It does not make any difference to the employees for what purposes the hotel or the club is run: they have to do the same class of work.

Mr. Sleeman: And the club employees work much longer hours.

The MINISTER FOR WORKS: That is so. The club employees are not in as satisfactory a position as the hotel employees. For every one man who makes a club his home there are at least 100 who make an hotel their home. Any objection to the inclusion of a club must apply with equal force to hotels. Yet we have not had any objection raised to the inclusion of hotels. As to the inspection that may be made by union officials, they will only go into the office to examine the books and time sheets. Surely there can be no objection to that.

Mr. Thomson: Is that the only place in a club to which union officials will go?

The MINISTER FOR WORKS: That is the only place to which they will be authorised to go.

Mr. Thomson: The Bill does not say so.

The MINISTER FOR WORKS: Yes, it does. The office is the only place where the official would go to make his investigations. If some clubs are included under the Act,



the others should be as well. The object of the clause is to overcome a technicality.

Mr. DAVY: The attempt to include clubs and domestic servants aims at extending the width of the Act to cover other than industrial disputes. The intention of the Act was to settle industrial disputes other than by strikes, and it is inconceivable that there could be an industrial dispute between housewives and servants, or between a club and its employees. They are not engaged in an industry. The Act was never intended to embrace such things.

The Premier: But that was 20 years ago.

Mr. DAVY: What I suggest was inconceivable 20 years ago is just as inconceivable to-day. A club is just as much one's private home as is his private residence.

Hon. Sir JAMES MITCHELL: At present the police, the school teachers, and civil servants have their associations, and it should only be necessary for them to register those organisations to gain access to the court. I have no objection to unionism because it is impossible to negotiate with thousands of men in one industry without some such provision. Lately, however, we have seen such ill-effects of some phases of unionism that many people are scared by the bad use to which organisations have been put. I was glad to hear the Minister say that those in control of men will not be included in the same union. At the same time, if the Bill be passed, there will be many detached people who do not come under the Public Service Act and cannot, because of their small numbers, form a union. Their position should be considered. As to clubs, however, I move an amendment—

That is Subclause (1) the words "and also any club, employing one or more workers" be struck out.

Undoubtedly the wages of club employees will be fixed by the court in that the rates provided for similar classes of employment will rule. I object to the Minister's statement that the club is the same as an hotel. It is entirely different, as Mr. Don Cameron could assure the Minister.

Mr. Sleeman: He went to the Weld Club to see how many Chows were employed there!

Hon. Sir JAMES MITCHELL: As the member for West Perth stated, an hotel is run for profit, but a club is not. If the

Minister asked merely that the wages should be fixed by the Arbitration Court, I would not object.

The Premier: How can it be done without this provision?

Mr. Davy: That is the trouble; you must have the whole lot, or nothing.

Hon. Sir JAMES MITCHELL: At any rate, we will agree to many foolish things if we pass the Bill as the Minister wants it.

The MINISTER FOR WORKS: The Leader of the Opposition favours the court fixing the wages of club employees, but that cannot be done except under this provision.

Mr. Latham: They would be automatically the same as in hotels.

The MINISTER FOR WORKS: That was not so in the case of the Commercial Travellers' Club. At the Weld Club a majority of the staff are Chinese.

Mr. Davy: Suppose they are Chinese.

The MINISTER FOR WORKS: They are not paid the same rate.

Mr. Davy: They are paid the same rate of wages as are white men.

The MINISTER FOR WORKS: If the white employees are getting only the same rate as are the Chinese, they are getting very little.

Mr. Davy: They are getting the same as are men engaged in similar work elsewhere.

The MINISTER FOR WORKS: I venture to say they are not.

Mr. Davy: They are.

The MINISTER FOR WORKS: Then why employ the Chinese?

Mr. Davy: The same individuals have been employed there for 20 years and why should they not be employed?

The MINISTER FOR WORKS: Why should they be employed?

Mr. Davy: Why not?

The MINISTER FOR WORKS: Because of their colour, their habits, and their breed. I want a white Australia. If the hon. member is so much in love with Chinamen, he had better go and live with them.

Mr. Davy: Those people are here and you would starve them out.

The MINISTER FOR WORKS: Yes, I would, quick, and have them out of the country.

Mr. Davy: That is the kind of man you are.

The MINISTER FOR WORKS: Yes, and every man who loves Australia should be that kind of man.

Mr. Davy: Why prate about your humanity?

The MINISTER FOR WORKS: I do not want that kind of humanity. I do not want the Chows here.

Mr. Sleeman: Deport the foreigners and leave the Chows here?

The MINISTER FOR WORKS: The court has ruled that it cannot deal with incorporated clubs. Therefore the incorporated clubs could cancel their incorporation and get outside the scope of the Act. The employees of clubs are performing similar service to hotel employees.

Hon. Sir James Mitchell: They are not. It should be satisfactory if the wages were fixed.

The MINISTER FOR WORKS: The Leader of the Opposition apparently objects to the inspection, but that is dealt with under another clause of the Bill.

Mr. Thomson: If we cannot defeat this, we cannot defeat the other provision.

The MINISTER FOR WORKS: The hon. member can always try. Members opposite cannot logically contend that employees of clubs should be treated differently from employees of hotels.

Mr. LATHAM: I deplore the statement of the Minister regarding the Chinese in the Weld Club.

Mr. Sleeman: There are some Chows at York.

Mr. LATHAM: Recently I read of a resolution passed at an Esplanade meeting by the people the hon. member represents, a resolution conveying fraternal greetings to all workers of the world. Is there any consistency in that? Why deprive these people of a chance of earning a living in a club? If the hon. member does not wish to employ such people, he should not object to other people employing them. A few nights ago the Minister for Justice introduced a Bill containing a provision to give half-castes the right to vote at a general election. Now another Minister says such people should not have a right to earn a decent living. Why interfere with these people earning a living so long as they are acting lawfully? It is deplorable to have to listen to the sort of stuff that has fallen from the Minister. While these people are here they should have the same chance as anyone else to earn a decent living.

Mr. Teesdale: Good old brotherhood of man, eh?

Mr. LATHAM: If there is any objection to the wages paid to or the hours worked by these people, it would be right for the court to interfere, but there are fewer worries and troubles to the Trades Hall from clubs than from any other quarter. I suggest that the Minister should join some club to gain a little experience.

The Minister for Lands: I hope he will stay in his own home.

Mr. LATHAM: My home in the city is at a club, and I defy the Minister to say there is a better house anywhere in the city.

Hon. W. D. JOHNSON: I cannot understand why the Opposition should be more concerned about Chinamen than about Australians. The member for West Perth said that the payment to Chinese employed in clubs is the same as the payment to Australians. That may be true, but as there is no declared wage for club workers, how can he say what it is? Chows may be paid Australian rates or they may not. There is no inspection of clubs. If the hon. member is correct in his statement that the Chinese are paid Australian rates, let us have a declared wage so that we shall know what it is.

Mr. Davy: Why should you know what it is?

Hon. W. D. JOHNSON: I am not anxious to know. What is the use of talking about a white Australia if we say that the Chinese must be protected?

Mr. Latham: No one said that.

Hon. W. D. JOHNSON: The white Australia policy declares that we do not want them here.

Mr. Latham: But having allowed them to come here you should give them the right to live.

Hon. W. D. JOHNSON: It is true that fraternal greetings have been broadcasted to the workers of the world. I glory in the fact that the movement does stand for the brotherhood of man. We did not send fraternal greetings to the Germans in Britain.

Hon. G. Taylor: You did when the war was on.

Hon. W. D. JOHNSON: We sent fraternal greetings to the German in Germany, the Frenchman in France, and the Japanese in Japan, and greetings equally sincere to the Chinaman in China as to the Britisher in Britain. At the same time we do not invite them to come to Australia because we know they cannot live up to the Australian standard. These people are used by the employ-

ers to undermine the standard. Why have we a Factories Act? Why is a Chinese prohibited from working in a factory? Because he would undermine the industrial standard. Why is he employed in clubs? Because he can be used to keep down the level of the club worker. We shall continue to have industrial troubles with clubs until we can get a defined wage and recognised hours for employees. It is not fair that these employees should be called upon to work the hours dictated by their employers. Members opposite believe in the settlement of industrial disputes by arbitration. How can we get the industrial conditions for these workers fixed unless by the court?

Mr. Davy: They are not industrial conditions.

Hon. W. D. JOHNSON: They are industrial conditions because the employees work given hours for a given wage. The employer dictates them.

Mr. Latham: By actual arrangement and agreement.

Hon. W. D. JOHNSON: We have said that other workers shall have a tribunal to which they can appeal against the dictation of their employers, but members opposite wish to exclude club employees from that right. There will never be a proper recognition of the settlement of industrial disputes by arbitration unless the principle is extended to all workers. The fact that there are some disorganised workers who must take direct action in order to improve the industrial conditions is an invitation to others to revolt in the same way. It is essential that all workers shall be brought within the purview of the court.

Hon. Sir James Mitchell: They do not go willingly, then.

Hon. W. D. JOHNSON: Many of the unions do not go willingly, and there is a section of the workers that is opposed to arbitration. The definite policy of the Labour Party is the settlement of industrial disputes by arbitration, but there always has been a difficulty owing to the fact that our arbitration laws do not apply generally. So long as there is that limitation, we shall not have industrial disputes settled by arbitration. Some 25 years ago we formed a union of domestic workers in Kalgoorlie, but as they could not get the protection of the court, the union ceased to exist. So long as some of the workers are excluded from

the protection of the court, there must be instances of direct action.

Hon. Sir JAMES MITCHELL: I understand the member for Guildford played a considerable part in the recent strike. The employees concerned were working under an agreement. Their trouble was not due to wages or conditions, but to some other matter. They demanded preference to unionists, and because the employers would not agree to that during the currency of the agreement, the hon. member and other union leaders arranged a strike.

Hon. W. D. JOHNSON: You prevent the court from declaring in favour of preference to unionists. So long as you keep that out of the Act we have no alternative but to secure it by direct action.

Hon. Sir JAMES MITCHELL: Mr. Walsh said, "Get what you can under the Act, and take the rest." That is precisely what the hon. member stands for.

The Minister for Lands: Taking what you can is the general policy throughout this State in many instances.

Hon. Sir JAMES MITCHELL: It is a strange argument. Why should we bother about arbitration? The hours and wages alone could be fixed, and other matters should be left for discussion between the union leaders and the employers.

The Minister for Works: Suppose they cannot come to an agreement?

Hon. Sir JAMES MITCHELL: We attempt too much. That is why there is so much loss of time, money and effort. I am in favour of a White Australia, but the men who have been permitted to come here have to live. The few that are left might well be allowed to follow their occupations.

Hon. W. D. JOHNSON: The Chinese employed in the furniture trade are entitled to get an award from the court. Why should not waiters in clubs have the same privilege?

Hon. Sir JAMES MITCHELL: I have no objection to the wages being fixed by the court, but I do object to a private house or a club being inspected by an official appointed by, say, the hon. member as president of a union. I do not think the hon. member is serious when he says if we include all workers there will be no more strikes.

Hon. W. D. JOHNSON: I did not say that.

Hon. Sir JAMES MITCHELL: The more unions we have, the more trouble we are likely to have. Strikes can always be created. The strikers are often led by unscrupulous people. Strikes have occurred for the fun of the thing. No serious-minded union official wants a strike. I do not know that the Minister for Works, when he was a union secretary, ever invoked a strike.

The Minister for Works: But I was often accused of doing so.

Hon. W. D. Johnson: Who should fix the wages and hours of club workers?

Hon. Sir JAMES MITCHELL: The Arbitration Court, if the hon. member likes.

Hon. W. D. Johnson: Then you will have to leave these words in.

Hon. Sir JAMES MITCHELL: If the Minister agrees that that is all that is necessary. The meetings the member for Guildford referred to as having been held on the Esplanade are not always edifying.

The CHAIRMAN: There is nothing about that in the Bill.

Hon. Sir JAMES MITCHELL: I am replying to the hon. member. A few years ago a number of people from the Esplanade paid a visit to the Weld Club.

The Premier: The Address-in-reply is over.

Hon. Sir JAMES MITCHELL: We thought the Minister would be decent when he brought this Bill down. Instead of protecting the workers from direct action, this Bill makes it possible for men to cause serious trouble to the workers.

Mr. RICHARDSON: The only difference between the Minister for Works and the Opposition Leader seems to be in relation to the inspection of clubs. I am not a member of any club in Perth, and I do not fraternise with Chinamen.

The CHAIRMAN: Other members have strayed from the clause. I will ask the member for Subiaco to keep to the clause.

Mr. RICHARDSON: I am in favour of a white Australia, so much so that at the proper time I shall voice my protest against half-castes being permitted to vote.

The CHAIRMAN: I cannot allow the hon. member to continue on those lines.

Mr. RICHARDSON: I regret very much that I am not allowed to speak on the lines which other members have adopted, and I voice my personal protest on the subject.

Amendment put, and a division taken with the following result:—

Ayes	..	..	15
Noes	..	..	21
			—
Majority against			6
			—

# AYES.

Mr. Angelo	Mr. J. M. Smith
Mr. Brown	Mr. Stubbs
Mr. Davy	Mr. Taylor
Mr. Denton	Mr. Teesdale
Mr. Griffiths	Mr. Thomson
Mr. Mann	Mr. C. P. Wansbrough
Sir James Mitchell	Mr. Latham
Mr. Richardson	(Teller.)

# NOES.

Mr. Angwin	Mr. Marshall
Mr. Clydesdale	Mr. McCallum
Mr. Collier	Mr. Millington
Mr. Corboy	Mr. Munzie
Mr. Coverley	Mr. Sleeman
Mr. Cunningham	Mr. Troy
Mr. Heron	Mr. A. Wansbrough
Miss Holman	Mr. Willcock
Mr. Hughes	Mr. Withers
Mr. W. D. Johnson	Mr. Chesson
Mr. Lambert	(Teller.)

# PAIRS.

AYES.	NOES.
Mr. J. H. Smith	Mr. Kennedy
Mr. Barnard	Mr. Panton
Mr. North	Mr. Wilson

Amendment thus negatived.

Hon. Sir JAMES MITCHELL: Will the Minister state his reason for including Subclause (4) in the amendments to Section 4? Subclause (4) reads—

By adding to the interpretation of "Industrial matters" the following paragraphs:—  
(h) The employment, preferential employment, dismissal, or non-employment of any particular persons, or persons of any particular sex or age, or being or not being members of any industrial union, organisation, association, or body . . . . .

The MINISTER FOR WORKS: This is the subclause which empowers the Court to give preference of employment to any particular class of workers named in the subclause. The subclause specifically aims at giving the court power to declare preference to unionists, a power which is already given to most industrial tribunals in Australia. The words in the existing Act were taken verbatim from the New Zealand Act, but our courts, in spite of interpretations elsewhere, have held that the words do not give power to award preference to unionists. Therefore in this Bill we have

adopted the wording of the Federal Act. It is not necessary for me again to state the case in favour of preference to unionists. The Bill does not lay down that there shall be preference to unionists, but merely gives the court power to award such preference if the court thinks fit. The power has existed in the Commonwealth Act all along, and has been exercised only once—when an employer definitely refused to give the court an undertaking that he would not discriminate against unionists. The exercise of the power in this State would have frequently meant industrial peace. The court can be trusted to exercise the power with discretion.

Mr. Thomson: The Government are enforcing the policy of preference now.

The MINISTER FOR WORKS: Yes, right through the Government service, ever since a fortnight after we took office; and it cannot be shown that injustice has resulted to any individual.

Mr. Thomson: Of course not, seeing that a man cannot get a job unless he has a union ticket.

The MINISTER FOR WORKS: That is absolute nonsense.

Mr. Latham: You compel people to sink their political opinions.

The MINISTER FOR WORKS: What is the use of talking like that? How can a man be compelled to sink his opinions?

Mr. Latham: On the surface.

Mr. Davy: You can compel men to express political views they do not hold.

Mr. Latham: And to subscribe to political funds.

The MINISTER FOR WORKS: When men join an organisation they accept the responsibilities of that organisation. The majority rules in an organisation, just as at a meeting of the board of directors of a company. No matter what the shareholders may think, if the directors agree to make a donation, the money goes without the shareholders being consulted.

Hon. Sir James Mitchell: Oh, no!

The MINISTER FOR WORKS: Yes. I know where the fighting funds come from. I know that the shareholders are not consulted, no matter what their political views may be.

Mr. Davy: But no one is compelled to be a shareholder.

The MINISTER FOR WORKS: I know how the big financial institutions----

The CHAIRMAN: I do not wish that subject to be drawn into the discussion.

The MINISTER FOR WORKS: Preference to unionists under the Bill will not be mandatory. We are always urged to trust the court; let us trust the court with this power. A good case would have to be made out before the court would exercise the power.

Hon. G. TAYLOR: Some of the illustrations quoted by the Minister in support of his otherwise accurate statements were not correct. A man must become a member of the union governing the calling in which he desires work and any man would be foolish if he did not join up. The unions improve conditions and secure increased wages and men benefiting should pay into union funds. The Minister was not right, however, in his comparison when he referred to shareholders and the board of directors.

The CHAIRMAN: Order! I prevented the Minister from proceeding along those lines.

Hon. G. TAYLOR: There is a wide difference between the two positions. The trouble is that when a man joins a union he is compelled to adhere to the political side of the organisation as well. That is the only argument against preference to unionists. The difficulty could be obviated if the unions had a separate organisation for political purposes. If that were done a worker could join a union for industrial protection and he would not be compelled to become a unit in the political machine against his wishes.

Hon. W. D. Johnson: That does not exist, except in your imagination.

Hon. G. TAYLOR: It does exist. If a man joins a union he is a Labour supporter.

Hon. S. W. Munsie: I wish that were so.

Hon. G. TAYLOR: Of course I know that members of trade unions have voted against Labour candidates.

Hon. W. D. Johnson: Then why argue as you have done?

Hon. G. TAYLOR: The trouble is that if it were known those people would be called scabs.

The Premier: That is not so.

Hon. G. TAYLOR: What is the use of talking. If a man were a member of a trade unions and were to speak from a Nationalist platform, what would happen?

The Premier: That sort of thing has been done all over the country.

Hon. G. TAYLOR: That is bunkum!

Hon. W. D. Johnson: Who elected you?

Hon. G. TAYLOR: That was done in spite of you people.

Hon. W. D. Johnson: Then where is your argument?

Hon. G. TAYLOR: The workers in my electorate knew me and trusted me; they would not trust my friend. I know the truth is not palatable to members on the Government side of the House. They know that what I say is true. I defy them to say that a member of a trade union has political freedom to go on to the platform of Labour's opponents. Did not "The Worker" say that the recent Labour Congress was the people's Parliament? Were not the doors shut so that they could conduct their proceedings in the dark?

The Minister for Works: This is beside the question.

The CHAIRMAN: Order! The hon. member must keep to the question before the Committee.

Hon. G. TAYLOR: Hon. members may try to hoodwink the people as much as they like. The Bill deals with industrial matters but the unions require a man to join up and then they hobble and strangle him politically. Everyone in the movement knows that full well, and that is the only argument against preference to unionists.

Hon. Sir JAMES MITCHELL: I object to preference to unionists for a different reason. No one should have the right of preference of employment, and the Government were absolutely wrong when they decided that only unionists should secure work from Government departments. That was a breach of the trust imposed upon them by the electors. I believe in unionism but I do not believe in compulsion in order that an individual may get work. I trust the statement that the unemployed could not get work because they could not get a union ticket is not correct.

Mr. Marshall: That is not a fair statement.

Hon. Sir JAMES MITCHELL: I said I hoped it was not true.

The Minister for Works: In every Government activity they are given up to the second pay to join the union.

Mr. Davy: But can they gain admittance?

The Minister for Works: I do not know of any union that has refused admittance to membership. That is, apart from the Waterside Workers' Federation when they acted under the direction of a judge.

Hon. Sir JAMES MITCHELL: Of course it would be foolish to admit a great many men to a union for whom employment could not be found. That is quite apart from the discrimination set up under the preference to unionists clause. It is possible that a union may not refuse admission to membership, but on the other hand it may be possible for the unions to make their fees so high as to exclude prospective members.

Hon. S. W. Munsie: Would the court grant preference if the union fees were so high?

Hon. Sir JAMES MITCHELL: The fees might be increased after preference was granted.

Hon. S. W. Munsie: That could not be done because the court has to approve of every alteration to a rule.

Hon. J. Cunningham: Do you believe in a man's mates paying for the whole of the rights and privileges obtained for him?

Hon. Sir JAMES MITCHELL: I do not know that unionists get much benefit from the money they contribute?

Hon. J. Cunningham: Do they not get better conditions or increased wages?

Hon. Sir JAMES MITCHELL: They may. Certainly they get a good deal less work and less money in the aggregate than if they had not joined the union, because unions often cause cessation of work. This is a free country.

Mr. Thomson: It is not, under these conditions.

Hon. Sir JAMES MITCHELL: Members sitting on the Government side of the House regard themselves as the democrats of the country, and yet they desire to exercise tyranny. If the Committee are foolish enough to agree to the subclause, which is more or less a direction to the judge, then the unions will be able to tyrannise and do incalculable harm and injustice to others. I will not give any trade union the right to prevent men from getting work, especially when we know that the Labour Congress made expulsion from a union so very easy.

The Minister for Works: Congress cannot deal with the expulsion of a member from the union.

Hon. S. W. Munsie: Of course not. You had better speak about things you know something about.

Mr. Thomson: They can expel from the Labour movement, which is different.

Hon. Sir JAMES MITCHELL: I would not have known anything about it if reports had not been published in the Press. We also know that a council of discipline was appointed, and that that council has a right to expel a union—a whole body of men.

Hon. S. W. Munsie: Wrong again!

Hon. Sir JAMES MITCHELL: Of course I know there is the right of appeal from Cæsar to Cæsar.

The Minister for Works: Where did you read this stuff?

Hon. Sir JAMES MITCHELL: Is there a paper called "The Worker"?

The Minister for Works: You did not read it in that paper.

Hon. S. W. Munsie: I will give £5 to any hospital if you can produce any such report.

Hon. Sir JAMES MITCHELL: Will the Minister say that a member cannot be expelled from a union?

The Minister for Works: But a member of a union cannot be expelled from the union by Congress.

The CHAIRMAN: Order! I must ask hon. members to keep to the subject.

Hon. Sir JAMES MITCHELL: I know there are some people who could be expelled from unions with advantage to those unions.

Mr. Marshall: Then you agree with expulsions?

Hon. Sir JAMES MITCHELL: I was not talking about the hon. member. I shall move to strike out these words because it is not reasonable or fair to say that any body of men shall have preference because they contribute to the funds of an organisation.

Mr. Sleeman: Do you want preference to non-unionists?

[*Mr. Angelo took the Chair.*]

Hon. Sir JAMES MITCHELL: I do not want preference to anyone. I want the country to be free so that honest working men can live comfortably and happily, assured that if they are good workers they can get employment. I do not want an em-

ployer to be compelled to engage a man because he is a unionist; neither do I want the unionists to control the industries of the country. A man should have a right to employ any worker he desires and to dispense with his services when he no longer has need of them, just as a worker is at liberty to leave whenever he pleases. I move an amendment—

That paragraph (h) of Subclause (4) be deleted.

Mr. SAMPSON: Preferential employment is all right up to a certain point, but it is liable to lead to grave injustice. In at least one Government department preference to unionists obtains. I have seen a letter that was forwarded to a man who previously worked in a department, stating that unless he joined the union, his services would be dispensed with.

Hon. G. Taylor: That has been done repeatedly.

Mr. SAMPSON: The man was disinclined to join the union, but as his living was at stake, he filled in a nomination paper. Though he was prepared to pay the entrance fee, he was unable to find a proposer and seconder to his nomination, and thus he was not permitted to join the union. The man lost his job and is now almost on the verge of starvation. This is a wicked state of affairs, tyrannically cruel. Unless the Minister makes it obligatory for a union to accept as a member any qualified person of good character who desires to join, we are not justified in adopting this provision.

Mr. THOMSON: I have always opposed preference to unionists because it is a form of economic slavery. In the olden days the serfs were the subjects of the barons, and were not permitted to leave the district in which they lived. By a process of evolution, that system has become a thing of the past, but a process of devolution has now set in and we are reverting to a similar condition of affairs by adopting the policy of preference to unionists. The rights of the baron of olden times are being transferred to the baron of to-day in the person of the union delegate, who says, "You cannot earn your bread and butter unless you have a union ticket." The workers, in demanding preference to unionists, are placing about their necks an economic chain that will be to their detriment. We have been told that as soon as the Government took office they gave effect to the policy of preference to

unionists, so that no one can hold a Government job unless he belongs to a union.

Mr. Davy: And contributes to their political funds.

Mr. THOMSON: It is a policy of spoils to the victor. It is tantamount to saying, "Unless you subscribe to our platform and are a member of a union, you shall not obtain employment on any public work while we hold the reins of Government." We have passed laws to compel these people to pay rates and taxes, and yet by another law it is proposed to deny them the right to earn a living. The unemployed who have applied to the Bureau in Perth for work have been placed in the position that unless armed with a union ticket they are not permitted to earn a living.

The Minister for Works: That is absolutely wrong.

Mr. THOMSON: That was the statement of the Honorary Minister for Health.

Mr. Davy: They are given a fortnight in which to join.

Mr. Mann: To pay up.

Mr. THOMSON: It is a wrong spirit. We talk about the brotherhood of man, and yet we deny to a man the right to earn a crust for his wife and children, unless he joins a union. I shall always fight that principle. I shall continue to raise my voice in protest against an iniquitous and damnable principle that denies to a man the right to earn a living.

Mr. PANTON: One might believe we were discussing a Bill to provide for the collective bargaining of employers and people who are not members of unions. The basis of the Bill is that only a registered union can approach the court. Those who remain out of the unions are refusing to help those organisations which have obtained the benefits that are so advantageous to them.

Mr. Thomson: But you are refusing a man the right to get those advantages.

Mr. PANTON: The hon. member would have us believe that men are refused the right to earn a living. The man who objects to paying his 6d. or 1s. a week towards the funds of the union, that has given him improved wages and conditions, deserves to carry his swag.

Mr. Thomson: He cannot get a job anywhere.

Mr. PANTON: Let him get a job on a farm, where the workers are not organised.

The hon. member is afraid that under preference to unionists there may be a bigger chance of the rural workers becoming organised.

Mr. Thomson: Not at all.

Mr. Sampson: Will you give them the right to join a union?

Mr. PANTON: I have never known of a man being refused admission to a union unless he had done something detrimental towards unionism. The member for West Perth in his organisation insists upon preference to unionists.

Mr. Davy: Not at all.

Mr. PANTON: If the court decided he was not a fit and proper person to be in the organisation, he would not be allowed to join it. There is not a member of the legal profession who is not a member of that organisation.

Mr. Davy: There is no organisation.

Mr. PANTON: The lawyers all charge the same fee when one goes to them for advice.

Mr. Davy: That is regulated by the law of the land.

Mr. PANTON: Members on this side of the House could tell a lot of tales about employers. I have never known any man to refuse to accept the benefits that trade unionism has brought to him. If a man accepts these benefits he should be prepared to contribute to the funds of the union. It is said that some of the contributions go into political funds. Who has a better right to assist in returning this party to the Treasury bench than the workers?

Hon. G. Taylor: They do not say that in Queensland.

Mr. PANTON: The workers will fight any Government if they think they have justice on their side.

Mr. Davy: You are here without preference to unionists.

Mr. PANTON: We are here because the workers think it worth while to invest a few shillings a year in political action. They believe that those who have worked in factories and mines are the people who should place proper Acts upon the statute book. If members opposite do not believe in unions supporting political action, the only thing left is direct action.

Mr. Thomson: We have had it.

Mr. PANTON: I shall always support the principle of preference to unionists. Employers who want good workers know



they can always get them from the trade unions.

Mr. DAVY: I will never be reconciled to a law that gives preference of employment to any class of person according to his political views, the shape of his head or the size of his feet. I am not aware that it is necessary in order to have unions to do collective bargaining, that unionism should be compulsory. For years we have had successful collective bargaining with voluntary unionism. It is now proposed that the court shall give power to make it compulsory for a man to join a union if he wants a job.

The Minister for Lands: This case does not apply to the individual. It applies to unions as a whole in case they are victimised in regard to awards issued by the court.

Mr. DAVY: I do not find such a thing in the clause. Members of unions are to be given preference of employment and people who are not members will come second. As soon as a man joins a union he may have to subscribe to the funds of a political party with whose views he is not in accord.

Mr. Panton: That is not so.

Mr. DAVY: The Minister for Works said it was.

Mr. Panton: He is in an aristocratic union.

Mr. DAVY: He said that minority shareholders in a company may be compelled by the majority to make a donation to some political organisation, and that this was analogous to a member of the union having against his will to subscribe a donation to a political organisation. What analogy is there? A man may be driven into a union to earn his living, but no man is driven into a company. Further, there is no guarantee whatever that a man can become a member of a union. To make a man dependent for the living of himself and his wife and children on the whim of the members of a union is utterly unjust, and no amount of flapdoodle can make it appear anything else.

The MINISTER FOR LANDS: I am surprised at the heat and heroics which have been engendered. If some hon. members had been alive at the time of serfdom, they would have opposed the emancipation of the serfs. This provision does not deal with individuals at all, but with unions. Only on one occasion has preference been used by an Arbitration Court, and that was to prevent victimisation of the members of a union. In this

Chamber the Government are continually being urged to carry out the instructions of the Arbitration Court, but to-night members opposite seem afraid to trust the court. The provision is necessary, because there have been scores of instances of victimisation.

Mr. Sleeman: And victimisation is still going on.

Mr. Mann: On both sides.

The MINISTER FOR LANDS: Victimisation must be proved very clearly to the court before it will grant preference. No one has advocated preference to unionists more vigorously than the member for Mt. Margaret did in the past.

Hon. G. Taylor: I am not opposing it now.

The MINISTER FOR LANDS: I hope the hon. member will vote for it now. The provision has nothing to do with individuals.

Mr. Thomson: It will have a very serious effect on individuals.

The MINISTER FOR LANDS: No. The discretion is entirely with the court, and surely we can trust the court to deal with the matter fairly and justly.

Hon. G. TAYLOR: I do not desire to be misunderstood on this question. I said that preference to unionists was a sound proposition. If a man earning his living is protected by a union, he should contribute to its funds.

The Premier: That is on record.

Hon. G. TAYLOR: If he is not prepared to do that, he should ask himself whether he is prepared to go back to the conditions which existed before unionism, and work for £2 a week instead of the £5 a week he receives to-day, thanks to unionism. Every worker in every country should join a union, but that is an argument against his being bound up politically with his industrial organisation. At a later stage I will move a new clause bearing on that aspect. A unionist should have the right to his political views apart from his industrial views. I shall vote against the present provision. The Minister for Lands cannot make me believe that the provision will not affect the individual as well as the union. The greater includes the less. The bulk of those workers who are not skilled labourers, and therefore are least able to look after themselves, need nobody to nominate them in order to become union members. They simply walk up to the secretary or steward, or the steward or secretary walks up to them, and after an intimation has been made that they want

to join up, no questions are asked. There are a few aristocratic unions for which one must have a nominator and a seconder. Twelve or 14 years ago it was almost a hopeless proposition to become a member of the Lumpers' Union.

Mr. Davy: There are scores of men in Western Australia who could not get into a union.

Hon. G. TAYLOR: That is strange news to me. If that be the case, unions have altered the principles of unionism very considerably during the last eight or ten years. Eight or ten years ago a man would have to be pretty bad, and of shady reputation, not to be able to join a union.

Mr. Sleeman: You would hardly think that the member for West Perth would know such people.

Hon. G. TAYLOR: I am speaking from personal experience, while other members perhaps have to accept statements made to them. If we removed the objections I refer to there would be less friction in the industrial movement. It has been a bone of contention by many who join unions that they are forced to become part of the political machine.

The Minister for Lands: I wish they were.

Hon. G. TAYLOR: The trouble is that some of them have gone back on the Labour Party. If that were done openly the man would be called a scab, declared black, be taboo, and be slung out of the organisation by hook or by crook. Later on I will move a clause in an endeavour to liberate such unionists.

The MINISTER FOR WORKS: One would have thought from the speeches of Opposition members that the Government were asking for something drastic or likely to bear harshly upon some people who might be starved because they could not get work. The suggestion is that our proposal represents an innovation and that it is tyrannical. This particular clause has been the law of Australia for 21 years past. Since 1904, it has been in the Commonwealth Arbitration Act.

Mr. Thomson: That does not say it is right.

The MINISTER FOR WORKS: Let hon. members who have painted such awful pictures of what will happen give one incident to show that an individual has been deprived of employment or starved or tyrannised because of this law.

The Premier: And the law has been maintained by Nationalist Governments during that period.

The MINISTER FOR WORKS: Yes, Nationalist Governments have been in office much longer during that period than Labour Governments. If this is such a harmful provision, why have not Nationalist Governments altered it? Why, after it has been the law of the land for 21 years, say it is a wicked, cruel and dastardly thing for Parliament to agree to.

Hon. S. W. Munsie: And the Federal Arbitration Act has been amended two or three times since it was first passed.

Mr. Thomson: We are dealing with Western Australia.

The MINISTER FOR WORKS: The hon. member's imagination is running riot. Does he suggest that Western Australia is not covered by the Federal Act?

The Premier: The trouble is that there is greater wisdom with the Nationalists here than with the Nationalists and Country Party members in the Federal Parliament. The Country Party members there are fools compared with ours. Page is a baby compared with Thomson!

The MINISTER FOR WORKS: There have been many presidents of the Federal Arbitration Court during the 21 years and yet on only one occasion has the power to grant preference to unionists been exercised. Under the Arbitration Act we charge the workers with the duty of keeping industrial peace. We ask them to make sacrifices and to give up the weapon of the strike. We compel them to submit their grievances to arbitration, and we cast upon the trade unions the obligation to bear the expense of collecting evidence, conducting the case in order to place the whole matter before the court, policing and enforcing awards and keeping the machinery necessary to allow arbitration to exist at all. Then we ask unionists to run the risk of incurring their employers' disapproval because of their action in stressing the case for their fellow workers, in the course of which on occasions straight talk may be indulged in. All that we ask is, rather than allow those men to be black-listed—

Mr. Thomson: But do you not black-list and prevent men from getting work under these conditions?

The MINISTER FOR WORKS: No. All we ask is that the men shall join a

union. We know how frequently it has happened that an employer has picked out a man who has spoken on behalf of his fellow workers and has sacrificed the individual because he has carried out a duty imposed upon him by the law of the land.

Mr. Thomson: Just as men who were loyal to the Government during the war were driven off the wharf at Fremantle!

The Minister for Lands: The less you say about that the better.

The MINISTER FOR WORKS: If the hon. member wants to discuss that point, I will tell him something about those who were loyal.

The Minister for Lands: Something about hundreds of foreigners.

Mr. Sampson: There were the returned soldiers, too.

Hon. S. W. Munsie: When some of the returned soldiers came back they belted the others off the wharf.

The MINISTER FOR WORKS: In return for making arbitration possible, and trade unions possible, we merely ask that the court shall be empowered to grant preference if they find that through spite or vindictiveness the position of a union or of unionists is jeopardised.

Mr. Davy: All that does not appear in the Bill.

The Premier: Yes, it does.

Mr. Mann: You do not favour unions closing their books?

The MINISTER FOR WORKS: I know of one industry in which two unions—the Fremantle Waterside Workers' Federation and the Tally Clerks' Union—closed their books.

Mr. Mann: What about the moulders?

Mr. Panton: There are not enough moulders to form a decent union.

The MINISTER FOR WORKS: The action taken by the two unions I have mentioned was at the instigation of the president of the Arbitration Court. No one can dispute that it was in the interests of the industry to place a limitation upon the membership of those organisations. Preference is sought in return for the unions making arbitration possible. It is not really preference but protection to unionists, and all we ask is that the court shall be empowered to grant it should unions be attacked. I know of remarkably few instances of unions rejecting applications for membership; in such instances there have

been substantial reasons why the men should not be admitted.

Mr. Davy: Can there be any reason why men should be debarred from membership?

The MINISTER FOR WORKS: Yes. I will give the hon. member three reasons which were laid down by the judge in the Federal Arbitration Court. He laid it down that a man, to be admitted to the union, should be a good tradesman, that he should be a man of good character, and that he should not have acted detrimentally towards the cause of trade unionism. Those three reasons were laid down as warranting a union in rejecting an application for membership.

Mr. Davy: What has a man's character to do with his right to earn a living?

The Premier: Would your organisation admit a man of bad character?

Mr. Davy: No.

The Premier: Then why ask a trade union to admit such a member?

Mr. Davy: If you exclude from your unions men of bad character, you prevent them from earning a living.

The Premier: That happens in your profession. You prevent a man from earning his living if he is of bad character.

Mr. Davy: Nothing of the sort.

The CHAIRMAN: Order! Hon. members must keep to the clause.

The Premier: He is taken off the roll and debarred from earning a living in his profession.

Mr. Davy: Not by the lawyers, but by the judges.

Hon. S. W. Munsie: This will be done by the judges.

The MINISTER FOR WORKS: The member for West Perth knows that if a union acted harshly and declined to admit applicants for membership, proceedings could be taken in the court for the cancellation of its registration.

Mr. Davy: Is there an instance of that having been done for failure to admit an applicant for membership?

The MINISTER FOR WORKS: I know of only one application having been made to the court, and that is proof of the exceptionally few cases of rejection that have occurred. In the quarter of a century in which I have held office in the trades union movement, I think I can say that all the rejections could be counted on the fingers of one hand, and there are 30,000 unionists in

this country. I exclude, of course, the Water-side Workers' Union.

Mr. Mann: I sent to you a month ago a man who had been refused admission to a union.

The Premier: Perhaps he had passed through your hands in another capacity.

Mr. Mann: No.

The MINISTER FOR WORKS: I have no recollection to having seen the man.

Mr. Mann: He wished to join the moulders' union.

The MINISTER FOR WORKS: The man did not see me. I know of a man who wished to join an organisation and who made a noise because he was rejected, but he had a list of convictions for crime as long as my arm. Should such a man be admitted to a union?

Mr. Davy: No, provided you do not prevent him from earning a living.

The MINISTER FOR WORKS: I say he should not be admitted.

Mr. Davy: Then if a man has committed a crime, he is not to be allowed to earn a living.

The MINISTER FOR WORKS: It is a justifiable reason for excluding a man. On the other hand I have frequently seen long lists of trades unionists blacklisted by the employers, and those lists have been circulated throughout the industry.

Mr. Davy: I would agree to a provision making it an offence to discriminate against unionists.

The MINISTER FOR WORKS: The hardest thing to prove in any court is victimisation. There is provision in the Act against victimisation, but we have succeeded in proving only one case since arbitration was first introduced. Yet I could tell of thousands of men who have had to leave the country on account of victimisation. Through this cause one of the best tradesmen and one of the brightest intellects in the movement, who conducted the moulders' case in the court, was lost to this State.

The Premier: He was working for Bernales and was sacked and had to leave Western Australia. Afterwards he was in a good position in the Newcastle steel works.

The MINISTER FOR WORKS: He is now the Federal secretary, located at the Trades Hall, Melbourne.

The Premier: We want a clause to protect such men.

The MINISTER FOR WORKS: I emphasise that this is a question of protection and compensation for the sacrifice that the Arbitration Act imposes upon organised labour. Organised trades unionism is the foundation of arbitration, and it is impossible to have arbitration without it.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	15
Noes	..	..	..	20

Majority against .. 5

#### AYES.

Mr. Brown	Mr. J. M. Smith
Mr. Davy	Mr. Stubbs
Mr. Denton	Mr. Taylor
Mr. Griffiths	Mr. Teesdale
Mr. Latham	Mr. Thomson
Mr. Mann	Mr. C. P. Wansbrough
Mr. James Mitchell	Mr. Richardson
Mr. Sampson	(Teller.)

#### NOES.

Mr. Angwin	Mr. McCallum
Mr. Clydesdale	Mr. Munzie
Mr. Collier	Mr. Pantou
Mr. Corboy	Mr. Sleeman
Mr. Coverley	Mr. Troy
Mr. Cunningham	Mr. A. Wansbrough
Mr. Heron	Mr. Willcock
Miss Holman	Mr. Withers
Mr. Hughes	Mr. Chesson
Mr. Lutey	(Teller.)
Mr. Marshall	

#### PAIRS.

AYES.	NOES.
Mr. J. H. Smith	Mr. Kennedy
Mr. Maley	Mr. Millington
Mr. Barnard	Mr. W. D. Johnson
Mr. North	Mr. Wilson

Amendment thus negatived.

Progress reported.

### BILL—ROMAN CATHOLIC GERALDTON CHURCH PROPERTY.

Received from the Council and read a first time.

House adjourned at 10.30 p.m.