

## SECTION XXVII.

## INDUSTRIAL UNIONISM AND INDUSTRIAL LEGISLATION.

## § 1. Development of Trade Unions in Australia.

1. **Historical Development of Trade Unionism in Australia.**—A special article, reviewing the development of trade unionism from its inception, appeared in Year Book No. 9, pp. 937-41.

2. **Registration under Trade Union Acts.**—The benefits conferred by registering Trade Unions are not, in some of the States, held in much repute; consequently the statistics of registered trade unions of employees not only do not represent the position of unionism, but, in addition, the statistics themselves for past years are so defective as to be practically valueless. The particulars furnish no reliable indication of the numerical and financial position of Trade Unions. It will be seen that some of the registered unions fail to supply returns; this non-supply may lead to cancellation of the registration. Some of the unions have obtained the cancellation of their certificates of registration, the apparent reason being that they proposed registering under the Commonwealth Conciliation and Arbitration Act. In Queensland, some of the largest labour unions withdrew from registration during 1911, mainly on account of the necessity for closer restriction of their objects as set forth in their rules, consequent on legal decisions affecting trade unions. The following table shows the number of trade unions registered under Trade Union Acts at the end of 1915, where available, together with their financial condition:—

TRADE UNIONS REGISTERED UNDER TRADE UNION ACTS.—NUMBER, MEMBERSHIP, AND FINANCIAL POSITION, 1915.

State.	Number of Unions.			Membership of Unions.			Receipts, 1915.	Expenditure, 1915.	Funds at end of 1915.
	Employ-ers.	Em-ploy-ees.	Total.	Em-ploy-ers.	Em-ploy-ees.	Total.			
							£	£	£
New South Wales ...	14	206	220	2,919	227,684	230,603	267,060	257,297	205,020
Victoria ...	3	7*	10	120	1,422	1,542	131	114	378
Queensland† ...	7	36†	43	303	8,069	8,372	19,696	17,428	13,811
South Australia‡ ...	2	16	18	74	5,095	5,169	9,669	8,136	21,223
Western Australia§ ...	...	60	60	...	18,296	18,296	40,006	39,388	22,951
Tasmania   ...	...	...	...	...	...	...	...	...	...

\* Information regarding six of these Unions not available. † Information regarding eleven Unions not available. ‡ 1916. § 1912. || Not available.

3. **Registration under Industrial Arbitration Acts.**—Western Australia and New South Wales up to 30th June, 1908, were the only States with Industrial Arbitration Acts under which industrial associations could be, and actually were, registered. The number of registered unions in New South Wales shewed a gradual increase from 1902

to 1907, the figures in the latter year being 109 unions of employers, with 3165 members, and 119 unions of employees, with 88,075 members. Under the Industrial Disputes Act, which succeeded the Arbitration Act of 1901, it is not necessary to furnish the information. Since the Act of 1908 has operated, industrial organisation has proceeded rapidly, owing to a very evident general desire on the part of the workers to obtain the status necessary to entitle them to the advantages offered by the Act. The Act of 1908 was repealed by that of 1912, and in 1912 there were 117 industrial unions of employers and 192 industrial unions of employees on the register. On the 31st August, 1914, there were 105 industrial unions of employers and 160 industrial unions of employees registered. On the 21st April, 1917, there were 143 industrial unions of employers, and 211 industrial unions of employees on the register. Thirty-one employers' unions had been reported "defunct," but had not been formally removed from the register, while the names of 58 employees' unions had not been formally removed from the industrial register, although their registrations as trade unions had been cancelled. In Western Australia, the employers' unions numbered 45, with 441 members, in 1904; 59 unions, with 520 members, in 1905; 57 unions, with 534 members, in 1906; 56 unions, with 552 members, in 1907; 48, with 409 members, in 1908; 47, with 408 members, in 1909; 46, with 444 members, in 1910; 46, with 554 members, in 1911; 49, with 749 members in 1912; and 48, with 581 members in 1916. From 1904 to 1908 unions of employees were in a fairly stationary condition. Since 1909, however, there has been a rapid expansion. At the end of 1904 and 1905 there were 140 unions, with 15,743 and 15,461 members respectively; in 1906 there were 130 unions, with 16,015 members; in 1907, 121 unions, with 14,544 members; in 1908, 121 unions, with 15,187 members; in 1909, 122 unions, with 17,282 members; in 1910, 130 unions, with 20,429 members; in 1911, 152 unions, with 28,934 members; in 1912, 158 unions, with 30,453 members; and in 1916, 134 unions with 25,403 members. These figures include councils and associations. Registration under Commonwealth legislation began in 1906. In that and the four following years, there was but one union of employers; another was registered in 1911. The unions of employees registered were 20 in 1906, with 41,413 members; 24, with 57,306 members, in 1907; 37, with 69,536 members, in 1908; 7, with 14,161 members, in 1909; 10, with 3760 members, in 1910. Twenty-four unions of employees were registered in 1911. The membership given above is that at time of registration. At the end of 1912 there were 3 employers' organisations, with 351 members, and 96 employees' organisations, with 245,735 members, on the register under the Commonwealth Conciliation and Arbitration Act. On the 31st December, 1916, there were six organisations of employers with 1375 members, and 101 organisations of employees with 383,025 members on the register.

**4. Types of Trade Unions in Australia.**—The types of trade unions in Australia are very diverse in character, and range from the small independent association to the large interstate organisation, which, in its turn, may be merely a branch of a British or international union. Broadly speaking, there are four distinct classes of labour organisations, viz. :—(i.) the *local independent*, (ii.) the *State*, (iii.) the *inter-State*, and (iv.) the *Australasian or International*, but a number of variations occur from each of these classes. The leading characteristics of each of these types were briefly outlined in Labour Report No. 2 (pp. 7 to 9).

**5. Total Number of Unions, 1916.**—As already stated, the figures for trade unions registered under the Acts do not represent the position of unionism in Australia. In 1912 the Labour and Industrial Branch of the Commonwealth Bureau of Census and Statistics was established, and by the cordial co-operation of the officials of the labour organisations, comprehensive figures relating to the development of organised labour are now available. The following table gives particulars of the number of trade unions, the number of branch unions, and the number of members in each State, the Northern Territory and the Commonwealth at the end of 1916 :—

**TRADE UNIONS, BRANCH UNIONS, AND MEMBERS, STATES. NORTHERN  
TERRITORY, AND COMMONWEALTH, 1916.**

State or Territory.	Number of Separate Unions.	No. of Branches.	No. of Members.
New South Wales ... ..	199	790	244,074
Victoria ... ..	151	361	147,614
Queensland ... ..	93	290	66,807
South Australia ... ..	86	102	42,537
Western Australia ... ..	107	170	33,900
Tasmania ... ..	66	72	10,263
Northern Territory ... ..	3	...	1,361
Total ... ..	705	1,785	546,556
Commonwealth* ... ..	392†	2,098	546,556

\* Allowing for interstate excess. † Number of distinct organisations and interstate groups of organisations in the Commonwealth—not the total number of organisations, which are practically independent and self-governing. (See below.)

In the preceding table the number of separate unions in each State refers to the number of unions which are represented in each State, exclusive of branches within a State. That is to say, each union represented in a State is only counted once, regardless of the number of branches in that State. Except in the last line, the number of branches indicates the number of branches of State head offices, which may, of course, themselves be branches of an interstate or larger organisation. In taking the total number of separate unions in the Commonwealth (see last line but one), it is obvious that, in the case of interstate and similar unions, there will be duplication, since each such union is counted once in each State in which it has any branches. In the figures given in the last line allowance has been made for this duplication. State branches of interstate or federated unions, as well as sub-branches within a State, are included under the heading "Branches" in the third column—last line. It should be observed, however, that the scheme of organisation of these interstate or federated unions varies greatly in character, and the number of separate Commonwealth unions does not fairly represent the number of practically independent organisations in Australia. In some of these unions the State organisations are bound together under a system of unification with centralised control, while in others the State units are practically independent and self-governing, the federal bond being loose and existing only for one or two specified purposes. It may be seen, therefore, that there are 392 distinct organisations and interstate groups of organisations in the Commonwealth, having 2098 State branches and sub-branches, and a total of 546,556 members.

**6. Number of Unions and Membership in Industrial Groups, 1916.**—The following table shows the number of unions and members thereof in each State at the end of the year 1916. The number of unions specified for each State refers to the number of different unions represented in each State; that is to say, interstate or federated unions are counted once in each State in which they are represented, but sub-branches within a State are not counted. In order to avoid disclosing the affairs of individual unions, in cases where there are only either one or two unions in any group in a State, the membership is not given separately.

**NUMBER OF UNIONS AND MEMBERSHIP IN INDUSTRIAL GROUPS IN EACH STATE AND NORTHERN TERRITORY, DECEMBER, 1916.**

Industrial Groups.	N.S.W.	Vic.	Q'ld.	S.A.	W.A.	Tas.	Nth'n Ter.	Total.
<b>NUMBER OF UNIONS.</b>								
I. Wood, Furniture, etc. ...	3	5	2	3	4	3	...	20
II. Engineering, Metal Works, etc. ...	20	20	12	11	7	5	1	76
III. Food, Drink, Tobacco, etc. ...	18	17	5	9	13	8	...	69
IV. Clothing, Hats, Boots, etc. ...	9	7	2	3	3	4	...	28
V. Books, Printing, etc. ...	9	10	2	2	4	2	...	29
VI. Other Manufacturing ...	26	20	6	12	9	5	...	78
VII. Building ...	16	14	11	8	10	3	1	63
VIII. Mines, Quarries, etc. ...	14	3	2	2	3	2	...	26
IX. Railway and Tramway Services ...	7	4	4	3	6	4	...	28
X. Other Land Transport ...	9	4	4	2	2	2	...	23
XI. Shipping, etc. ...	17	7	17	8	8	8	...	65
XII. Pastoral, Agricultural, etc. ...	3	2	1	1	2	1	...	10
XIII. Domestic, Hotels, etc. ...	7	5	1	2	6	1	...	22
XIV. Miscellaneous ...	41	33	24	20	31	18	1	168
<b>Total</b> ...	<b>199</b>	<b>151</b>	<b>93</b>	<b>86</b>	<b>107</b>	<b>66</b>	<b>3</b>	<b>705</b>

**NUMBER OF MEMBERS.**

I. Wood, Furniture, etc. ...	5,496	4,359	*	1,161	1,407	597	...	†13,020
II. Engineering, Metal Works, etc. ...	24,522	13,434	4,660	4,552	2,495	567	*	49,230
III. Food, Drink, Tobacco, etc. ...	20,217	11,101	5,892	2,107	1,232	966	...	41,515
IV. Clothing, Hats, Boots, etc. ...	8,034	13,938	*	1,949	277	440	...	†23,938
V. Books, Printing, etc. ...	4,990	3,862	*	*	355	*	...	11,079
VI. Other Manufacturing ...	15,681	11,935	813	1,850	1,651	189	...	32,119
VII. Building ...	14,645	12,371	3,867	3,435	1,438	499	*	36,255
VIII. Mines, Quarries, etc. ...	19,998	3,462	*	*	4,819	*	...	33,515
IX. Railway & Tramway Services ...	38,232	17,639	7,365	4,712	6,962	986	...	75,896
X. Other Land Transport ...	5,670	5,635	2,110	*	*	*	...	15,719
XI. Shipping, etc. ...	20,986	13,337	4,682	4,754	1,212	897	...	45,868
XII. Pastoral, Agricultural, etc. ...	13,817	§	*	*	*	*	...	37,679
XIII. Domestic, Hotels, etc. ...	5,055	2,482	*	*	1,552	*	...	9,907
XIV. Miscellaneous ...	46,731	35,039	22,968	11,353	8,895	1,469	*	117,050
<b>Total</b> ...	<b>244,074</b>	<b>147,614</b>	<b>65,807</b>	<b>42,537</b>	<b>33,900</b>	<b>10,263</b>	<b>†1,361</b>	<b>546,556</b>

\* Not available for publication separately; included in State and Commonwealth totals.  
 † Incomplete, see footnote. ‡ Membership of Groups II., VII., and XIV. included in the South Australian numbers. § Membership included in total for Group XIV.

Particulars are given in Labour Report No. 7 (pp. 339-346) of the number of male and female members of unions and the percentage of such members on the total number of adult wage earners. Information is also given below as to the development of trade unionism since 1891. Other tables show the classification of unions according to number of members and the number of central labour organisations.

7. Development of Trade Unions in Australia, 1891 to 1916.—The following table shews for the years specified the total number of trade unions in the Commonwealth, and the number and membership of those unions for which returns are available. The estimated total membership of all unions for years prior to 1912 is shewn in the last line:

**NUMBER AND MEMBERSHIP OF TRADE UNIONS IN COMMONWEALTH, 1891 to 1916.**

Particulars.	1891.	1901.	1906.	1910.	1911.	1912.	1913.	1914.	1915.	1916.
Total number of unions	124	198	302	482	573	621	710	712	713	705
No. of unions for which membership available	72	139	253	442	542	621	710	712	713	705
Membership of these unions ...	31,871	68,218	147,049	277,047	344,999	433,224	497,925	523,271	528,031	546,556
Estimated total membership of all unions	54,888	97,174	175,529	302,119	364,732	...	...	...	...	...

Note.—Particulars for 1896, 1907, 1908, and 1909 are given in Labour Report No. 2, p. 13.

These figures shew that while the number of unions in 1916 was nearly six times the number in 1891, the estimated membership during the same period increased nearly ten times. During the last nine years the estimated annual increase in membership was greatest in the year 1912, when it amounted to no less than 68,492, and least in 1915, when it was only 4760.

8. **Interstate or Federated Unions, 1916.**—The following table gives particulars as to the number and membership of interstate or federated unions in 1916 :—

**NUMBER AND MEMBERSHIP OF INTERSTATE OR FEDERATED UNIONS  
IN THE COMMONWEALTH, 1916.**

Particulars.	Unions Operating in—					Total.
	2 States.	3 States.	4 States.	5 States.	6 States.*	
Number of Unions ...	15	11	12	18	25	81
Number of Members ...	18,185	12,739	56,717	101,848	222,794	412,283

\* Three unions in this group have, in addition to branches in each of the six States, a branch in the Northern Territory.

It appears, therefore, that 81 out of the 392 separate associations and groups of associations in the Commonwealth are organised on an interstate basis. The membership of these 81 unions amounts to 412,283, or no less than 75.4 per cent. on the total membership (546,556) of all unions.

9. **Central Labour Organisations.**—In each of the metropolitan towns, as well as in a number of other industrial centres, delegate organisations, consisting of representatives from a group of trade unions, have been established. Their revenue is raised by means of a per capita tax on the members of each affiliated union. In most of the towns where such central organisations exist, the majority of the local unions are affiliated with the central organisation, which is usually known as the Labour or the Trades Hall Council or the Labour Federation. In Western Australia a unified system of organisation extends over the industrial centres throughout the State. In this State there is a provincial branch of the Australian Labour Federation, having a central council and executive, and a metropolitan and branch district councils, to which the local bodies are affiliated. The central council, on which all district councils are represented, meets periodically. In the other five States, however, the organisation is not so close, and though provision usually exists in the rules of the central council at the capital town of each State for the organisation of district councils or for the representation on the central council of the local councils in the smaller industrial centres of the State, the councils in each State are, as a matter of fact, independent bodies.

The table below shews the number of metropolitan and district or local labour councils, together with the number of unions and branches of unions affiliated therewith, in each State at the end of the year 1916 :—

**CENTRAL LABOUR ORGANISATIONS.—NUMBER, AND UNIONS AFFILIATED, 1916.**

Particulars.	N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	C'wth.
No. of Councils ...	4	5	4	4	10	1	28
No. of Unions and Branch Unions Affiliated ...	169	205	67	90	181	20	732

The figures given in the preceding table as to number of unions do not necessarily represent separate unions, since the branches of a large union may be affiliated to the local trades councils in the several towns in which they are represented.

Between the trade union and the central organisation of unions may be classed certain State or district councils, organised on trade lines and composed of delegates from separate unions, the interests of the members of which are closely connected by reason of the occupations of their members, such, for example, as delegate councils of bakers, bread carters and mill employees, or of unions connected directly or indirectly with the iron, steel, or brass trades, or with the building trades.

## § 2. Laws Relating to Conditions of Labour.

1. **Tabular Statement of Statutes affecting Labour.**—The statutes in force at the end of 1916 in the several States of the Commonwealth, which, more or less directly, affect the general conditions of labour, are shown in the table below. Where merely an incidental reference to labour conditions is made in a statute, as is the case with, e.g., the Hawkers and Pedlars Act 1892, of Western Australia, or the Firms Registration Act 1899, of South Australia, or the Health Acts generally, the statute is not included in the table.

### LABOUR LAWS.—TABLE OF STATUTES IN FORCE IN AUSTRALIAN STATES, 1916.

New South Wales.	Victoria.	Queensland.	South Aust.	Western Aust.	Tasmania.
1. <i>General</i> — Factories & Shops Act 1912 Early Closing 1899, 1900, 1906, 1910 and 1915 Saturday Half Holiday 1910 Clerical Workers 1910 Eight Hours Act 1916 Sunday Trading (Refreshment Rooms) 1916	Factories and Shops 1915	Factories and Shops 1900, 1908, 1914 and 1916	Factories 1907, 1908, 1910 and 1915 Early Closing 1911 and 1912	Factories 1904 (2) and 1911 Early Closing 1902, 1904 (2), 1911 and 1912 (Consolidated)	Factories 1910 and 1911 Climmy's Sweepers 1882 Shops Closing 1911 and 1913
2. <i>Prevention of Strikes and Regulation of Rates of Wages</i> — Industrial Arbitration 1912, 1916	Factories and Shops (as above)	Industrial Peace Act 1912*	Factories Acts 1907-15 Industrial Arbitration Act 1912, 1915, 1916 Mining 1893	Industrial Arbitration Act 1912	Wages Boards 1910, 1911, 1913 and 1916
3. <i>Mining Industry</i> — Mines Inspection 1901, 1904 Coal Mines Regulation 1912 Miners' Accident Relief 1912	Mines 1915 Coal Mines Regulation 1915	Mining 1898, 1901, 1902, 1912 (2), 1914, 1915 Mines Regulation 1910 and 1912		Mines Regulation 1906 and 1911 Coal Mines Regulation 1902, 1915 Mining 1904	Mining 1917 Mines and Works Regulation 1915
4. <i>Security of Wages to Wage Earners</i> — Contractors' Debts 1897	Employers and Employees 1915	Contractors' & Workmen's Lien 1906 Wages 1870 and 1884 Wages (as above)	Workmen's Liens 1893-6	Workmen's Wages 1898, 1899, 1900, 1904	—
Attachment of Wages Limitation 1900	—	—	Wages Attachment 1898	—	Wages Attachment 1900

\* The Industrial Arbitration Act 1916 came into force on 12th January, 1917.

## LABOUR LAWS—TABLE OF STATUTES.—Continued.

New South Wales.	Victoria.	Queensland.	South Aust.	Western Aust.	Tasmania.
*Truck 1900 " 1901	—	Factories and Shops (as above)	Factories (as above)	*Truck 1899 * " 1900 * " 1904	—
Bankruptcy 1896 (preference to wages)	Insolvency 1915	Insolvency 1874 Insolvency 1876	Insolvency 1886 " 1887 " 1896 " 1915	Bankruptcy 1892 " 1898	Bankruptcy 1870 Bankruptcy 1899
5. Accommodation, Homes, etc.—					
Shearers' Accommodation 1901	Shearers' Hut Accommodation, 1915	Workers' Accommodation 1915	Shearers' Accommodation 1905 and 1916	Shearers' Accommodation 1912	—
—	Closer Settlement (Workers' Homes) 1915	Miners' Homestead Leases 1913	—	—	—
—	—	Workers' Dwelling 1909, 1912, and 1914.	—	Workers' Homes 1911 & 1912 (2) and 1914 Navigation 1904 " 1907 Merchant Shipping Act Application 1903	—
6. Inspection of Machinery, etc.—					
Scaffolding and Lifts Act 1912 Boiler Inspection Regulations (under Factories and Shops Act 1912)	Boilers' Inspection 1915 Lifts Regulation 1915	Inspection of Machinery 1915, and Inspection of Scaffolding 1915	Steam Boilers and Engine Drivers 1911 and 1913 Lifts Regulation 1905 Scaffolding Inspection 1907 and 1908	Inspection of Machinery 1904 and 1911	Inspection of Machinery 1902 " " 1903 " " 1913
7. Trade Unions—					
Trade Unions 1881	Trade Unions 1915	Trade Union 1915	Trade Unions 1876	Trade Unions 1902	Trade Unions 1889
8. Relations of Masters and Servants—					
Masters & Servants 1902 Apprentices 1901 Apprentices (Amendment) Act 1915	Employers and Employees 1915 Masters and Apprentices 1915 Servants' Registry Offices 1915	Apprentices 1828 " 1844 Master and Servants 1861	Masters & Servants 1878 Apprentices (War Service) Relief Act 1915 Employees' Registry Office Act 1915	Masters and Apprentices 1873 Masters & Servants 1892 Employment Brokers 1909 and 1912 (Consolidation)	Masters & Servants 1856 " " 1882 " " 1884 " " 1887
9. Liability in case of Accidents—					
Employers' Liability 1897	Employers and Employees 1915	—	Employers' Liability 1884-9	Employers' Liability 1894	Employers' Liability 1895, 1898 and 1903
Workmen's Compensation 1910	Workers' Compensation 1915	Workers' Compensation 1916	Workmen's Compensation 1911	Workers' Compensation 1912	Workers' Compensation 1910

\* The "Truck" system, as applied to labour, was one by which the master obtained the labour of his servants in exchange for goods or commodities on which it is stated he generally secured a profit. The system is now almost entirely suppressed by the various statutes enacted. † New South Wales Acts unrepealed in Queensland after Separation in 1859.

2. **Provisions and Administration of the Acts.**—For information regarding the benefits sought to be conferred, and the provisions for the registration, administration, and record-keeping, etc., under these Acts, reference should be made to Year Book No. 9, pp. 949 to 952.

3. **Registered Factories.**—The number of establishments registered under Factories Acts is shown below:—

**FACTORIES REGISTERED UNDER ACTS, 31st DECEMBER, 1916.**

State.	No. of Registered Factories.	Numbers Employed.		
		Males.	Females.	Total.
New South Wales ...	8,065	63,895	28,757	92,652
Victoria ...	7,618	56,396	35,924	92,320
Queensland*	2,824	19,898	7,930	27,828
South Australia†	1,934	13,850	4,790	18,640
Western Australia†	1,117	7,919	2,865	10,784
Tasmania*	911	5,796	1,398	7,194
Commonwealth ...	22,469	167,754	81,664	249,418

\* At 30th June, 1916.

† At 31st December, 1915.

4. **Comparative Statement of Factories Law in Australia.**—The tables on pp. 960-5 show at a glance the chief provisions of the Factories and Shops Acts in the Commonwealth:—

5. **Mining Acts.**—Mining Acts regulate the working of mines. Generally the employment underground of all females and of boys under fourteen years is prohibited. A minimum age, usually seventeen, is fixed for employment as lander or bracman at plats and landing places; no lander, bracman, underground worker, or man in charge of motive power may be employed more than eight hours a day. A large number of scientific provisions for the protection of the lives and health of miners is also inserted in the Acts. Enginedrivers must hold certificates of competency. Persons may be licensed to certify to the condition of boilers. Provision is made to enable injured persons or the relatives of persons killed to recover damages if the injury or death results from a breach of the regulations referred to above. Inspection of mines is fully provided for. Sunday labour is forbidden. In New South Wales and (since 1st February, 1910) Victoria still more advanced mining legislation exists; numerous sections are designed to ensure the well-being of the workers, such as limitation of hours, etc.

6. **Employer's Liability and Workmen's Compensation Acts.**—In each of the States, Acts have been passed allowing compensation to workers who have been killed or injured while engaged in industrial occupations. In the Commonwealth, one Act provides for compensation to all workers employed by the Commonwealth, and another to all seamen working on ships registered in Australia. A conspectus of these Acts is given on pages 964 to 969.



## A.—EMPLOYMENT IN FACTORIES.—COMPARATIVE VIEW OF

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.
<i>Principal Acts</i>	Factories and Shops 1912.	Factories and Shops 1915.	Factories and Shops 1900. " " 1908. " " 1914†
<i>Application of Acts—Limitations</i>	Whole State proclaimed factories district. Not applicable where all the workers are members of the same family. Not applicable to woolsheds, dairies, or ships. Governor may exempt any factory or class of factory.	Whole State. Not applicable to dairying, agricultural, horticultural, viticultural and pastoral occupations. Not applicable to laundries attached to prisons or religious and charitable institutions.	Only in areas proclaimed. Not applicable to prisons, reformatories, dairies, mines, agricultural buildings, and domestic workshops. Governor may exempt partially or wholly any factory or class of factories in a given district.
<i>Definition of Factory—By Nos. Employed</i>	Four or more.	Four or more.	Two or more (including occupier).
" Asiatics	One or more Chinese.	One or more Chinese.	One Asiatic.
" Power used	Steam or mechanical.	Steam or mechanical.	Steam or mechanical.
" Special classes included	Bakehouses. Laundries and dyeworks.	Bakehouses, laundries, dyeworks, quarries, clay-pits, furniture. Gas and electric light, etc., works.	Bakehouses, laundries.
<i>Administration</i>	Minister of Labour.	Minister of Labour.	Minister for Public Works.
<i>Inspectorate</i>	Inspectors with full powers of entry, examination and enquiry.	Inspectors with full powers of entry, examination and enquiry.	Inspectors with full powers of entry, examination and enquiry.
<i>Registration</i>	Seven days' prior notice.	Fourteen days' notice after occupation. Annual re-registration.	Seven days' prior notice.
<i>Outwork</i>	Occupier of factory to keep record, shewing places where work done and rates of payment.	Occupier to keep record of description, quantity, remuneration, names and addresses. Out-workers must register in clothing, wearing-apparel, or boot trades.	Sub-contractors' premises subject to factory regulations. Occupier to keep records shewing places, description, and quality of work; nature and amount of remuneration paid. Out-workers must register. Sub-letting forbidden.
<i>Meals in Workroom</i>	Minister may forbid while work is going on; he may require provision of a suitable eating-room.	Forbidden while work going on, unless Chief Inspector permits. Forbidden if dangerous trade conducted.	Inspector may forbid meals being taken in factories; he may require provision of suitable eating room.
<i>Sanitary, Health and Safety Provisions</i>	Factories to be clean, wholesome, and well ventilated. Over-crowding forbidden. Unhealthy persons under sixteen may be suspended from daily work. Avoidance of infection prescribed. Factories to be thoroughly cleaned once in fourteen months. Bakehouses and furniture factories not to be used as sleeping places. Seats to be provided for females. Proper necessary precautions to be taken against fire, and efficient fire escapes to be provided.	Factories to be clean, wholesome, and well ventilated. Over-crowding forbidden. Factories to be thoroughly cleaned once in fourteen months. Bakehouses to be washed once every six months Factories and bakehouses not to be used as sleeping places. Wet spinners must be protected. Efficient fire escapes to be provided, and fire appliances kept ready. Doors, etc., to be kept free from obstruction.	Factories to be clean, wholesome, and well ventilated. Over-crowding forbidden. Suspension of work by unhealthy persons may be enforced. Avoidance of infection prescribed. Fresh drinking water to be provided. Factories to be thoroughly cleaned once in twelve months. Bakehouses not to be used as sleeping places. Seats to be provided for females. Proper necessary precautions to be taken against fire.
<i>Dangerous Machinery</i>	Must be fenced. Employment of women and boys forbidden at certain machines.	Must be fenced. Employment of women and boys restricted. First-aid ambulance-chest to be kept on premises.	Must be fenced.*
<i>Minimum Wage per week</i>	4s. No premiums or bonus on behalf of apprentices in the making of wearing apparel is permitted.	2s. 6d. No premium is to be demanded from female apprentices and improvers in clothing trades, or any apprentice or improver employed in a shop.	5s. No premium is permitted from apprentices without permission of Inspector.

\* See Machinery and Scaffolding Act 1915.

† Hairdressers' shops only.

## LEADING FEATURES OF ACTS IN FORCE IN AUSTRALIA, 1915.

SOUTH AUSTRALIA.	WESTERN AUSTRALIA.	TASMANIA.
Factories 1907, 1908, 1910, and 1915.	Factories 1904. " 1911 (2).	Factories 1910 and 1911.
In metropolitan area and such other places as determined by Parliament. Not applicable to domestic servants and agricultural and pastoral pursuits.	In districts proclaimed. Not applicable to mines, dairies, ships, prisons, reformatories, domestic (other than Asiatic) workshops. Governor may exempt any factory or class of factories.	Whole State. Not applicable to mines, ships, prisons, reformatories, rural industries, charitable institutions. Governor may exempt any factory.
Any one person. Laundries, dyeworks.	Six or more. One Asiatic. Steam or mechanical. Bakehouses, laundries.	Four or more. One Asiatic. Steam or mechanical over 1 h.p. Bakehouses, quarries.
Minister of Industry.	Honorary Minister.	Chief Secretary.
Inspectors with full powers of entry, examination and enquiry.	Inspectors with full powers of entry, examination and enquiry.	Inspectors with full powers of entry, examination and enquiry.
Twenty-one days' after occupation.	Prior notice. Annual re-registration if Asiatics employed	Twenty-one days' prior notice and annual re-registration.
Occupier to keep record. Out-workers to register names and addresses.	Occupier to keep record of names and addresses, and quantity and description of work done. Sub-letting forbidden.	Occupier to keep record of names and addresses, and quantity and description of work done, also of hours worked and wages paid.
Minister may forbid meals in factories carrying on noxious trades; he may require provision of suitable eating-room.	Forbidden for women and boys, except with Inspector's written permission.	Forbidden where employees working. In certain factories meal room to be provided.
Factories to be kept wholesome, clean, and well ventilated. Over-crowding forbidden. Factories to be thoroughly cleaned once in fourteen months. Adequate protection to be made against fire.	Factories and connected yards to be clean, wholesome, and well-ventilated. Over-crowding forbidden. Unhealthy persons may be forced to suspend work. Goods, clothing, etc., to be disinfected where necessary. Fresh drinking water to be provided. Thorough cleaning to be regularly done. Bakehouses not to be used as sleeping places. Efficient fire escapes to be provided and other necessary protection to be made against fire.	Factories to be clean, wholesome, and well ventilated. Overcrowding forbidden. Interior walls and ceiling surfaces in factories may be required to be cleaned once in fourteen months. Factories not to be used as sleeping places. Doors, etc., to be kept clear of obstructions, and fire-prevention appliances kept ready for use. Doors to open outwards. Alternate means of escape to be provided.
Must be fenced. Employment of children under sixteen may be forbidden.	Must be fenced.* Inspector may prohibit as dangerous machine.* Employment of females and boys forbidden.	...
4s. No premium is to be paid by female apprentices in clothing trades.	...	4s. for first year at trade. No premium in respect to employment is permitted.

\* See Inspection of Machinery Act 1904.

B.—RESTRICTIONS AS TO EMPLOYMENT OF WOMEN

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.
* <i>Ordinary Age of Admission to Factory</i>	14	Boys 14 years Girls 15 years	14
<i>Maximum Working Hours of Women and Young Persons</i>	Per week	Boys under 16 and all females 48 hours	Boys under 16 and all females, 48 hours
	.. day	...	Boys under 16 and all females, 48 hours
	Maximum hours of continuous labour	Boys under 18 and all females 5 hours	Do., 10 hours. Females under 18 or males under 16 as type-setters, 8 hours
	Interval	Do., ½ hour	Boys under 18 and all females, 5 hours.
<i>Prohibited Hours of Work</i>	Boys under 16 and all females 6 p.m. to 6 a.m.	Girls under 16, 6 p.m. to 6 a.m. Males under 16 and all females, after 9 p.m.	Girls under 16, 6 p.m. to 6 a.m. Boys under 16, 6 p.m. to 6 a.m. (Except by special exempt'n from Minister.)
<i>Overtime—Limitation—Per day</i>	Three hours	Ten hours per day not to be exceeded	Three hours
.. week	Three consecutive days	Fifty-seven hours per week not to be exceeded in more than eight weeks	(Two consecutive days Fifty-six hrs per wk. not to be exceeded. Forty days
.. year	Thirty days	...	
Continuous			
<i>Overtime Pay</i>	Time and a-half	Wage workers, time & a-half Piece workers, additional 1/3d. per hour	Time and a-half, but not below 6d. per hr.
<i>Prohibition of Employment after Childbirth</i>	4 weeks	...	...
<i>Restrictions and Prohibitions of Employment affecting Women and Young Persons in Dangerous Trades</i>	Type-setting	...	Boys under 14; girls under 15
	Dry grinding and match dipping	Persons under 16*	Persons under 16
	Manufacture of bricks and tiles	Girls under 18	Girls under 16
	Making and finishing of salt	Girls under 18	Girls under 16
	Melting or annealing of glass	Boys under 16; girls under 18	Girls under 18
	Silvering of mirrors by mercurial process; manufacture of white lead	Persons under 18	Persons under 18
	Cleaning of machinery in motion, mill gear-ing, etc.	All females; boys under 18†	All females; boys under 18
	Charge of lift	All females; boys under 16†	Persons under 18

\* The ages given are those at which admission to factory labour is unrestricted. In some States younger children are admitted if having passed school standards, or by special permit from the Minister or inspector.

## AND YOUNG PERSONS IN FACTORIES IN AUSTRALIA, 1915.

SOUTH AUSTRALIA.	WESTERN AUSTRALIA.	TASMANIA.
13	14	14
Boys under 16 and all females, 48 hours Do., 10 hours	Boys under 14 and all female, 48 hours Do., 8½ hours	Boys under 16 and all females, 48 hours Females, 10 hours
Do., 5 hours	Do., 5 hours	Boys under 18 and all females, 5 hours
Do., ½ hour	Do., ½ hour	Females & young persons, 1 hour
Females, after 9 p.m. Boys under 16, after 9 p.m.	Females, 6 p.m. to 8 a.m., and after 1 p.m. on one day wkly. Boys under 14, 6 p.m. to 7.45 a.m., and after 1 p.m. on one day weekly.	Boys under 16 and all females, after 9 p.m. ...
...	Three hours	55 hours per week not to be ex- ceeded. (Suspended in perishable material trades from December to April inclusive)
} Seven hours per week 100 hours Time and a-quarter	Two consecutive days	...
	Thirty days	200 hours
Time and a-quarter	Time and a-quarter	Time and a-quarter
...	4 weeks	...
Boys under 16 and all females not more than 8 hours per day, and not after 6 p.m. or before 6 a.m.	Girls under 15	Boys under 16 and all females not more than 8 hours per day, nor between 9 p.m. and 6 a.m.
Persons under 16	...	Persons under 16
Girls under 16	Girls under 16	Girls under 16
Girls under 16	Girls under 16	Girls under 16
Boys under 14; girls under 18	...	Females under 18
Persons under 18	All females; boys under 18	All females; boys under 18
All females; boys under 18	All females; boys under 18	...
All females; boys under 18	Females under 21; boys under 16	...

† In N.S.W. this restriction applies also to casting from molten lead. ‡ In N.S.W. this restriction applies also to persons in charge of or attending to any engine or boiler. § In N.S.W. this restriction applies also to any machinery classed as dangerous.

C.—EMPLOYMENT IN SHOPS.—COMPARATIVE VIEW OF LEADING

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.
<i>Acts</i>	As for factories Early Closing Act Minimum Wage Act	As for factories	As for factories
Statutory Maximum Hours of Employment.	(a) Male, adults	...	52 hours per week (Fourth Schedule Shops 58 hours)
	(b) Females and Boys	Girls under 18, boys under 16, 52 hours	52 hours (Fourth Schedule Shops 56 hours)
	per week	Girls under 18, boys under 16, 9½ hours (except 1 day, 11½ hours)	9 hours (except 1 day, 12 hours)
	per day	9½ hours (except 1 day, 11½ hours)	9 hours (except 1 day, 12 hours)
Maximum continuously	All females: 5 hours	All persons: 5 hours	Females and boys under 16, 9½ hours (except 1 day, 11½ hours)
Interval	All females: ½ hour	All persons: ½ hour	All persons: 5 hours
Maximum { per day. Overtime { per year	...	3 hours 25 days	3 hours 40 days
<i>General closing time</i>	4 days, 6 p.m.; 1 day, 10 p.m.; 1 day, 1 p.m.	4 days, 6 p.m. (outside Metropolitan district 4 days 7 p.m.); Saturdays, 1 p.m.; Fridays, 10 p.m.	4 days, 6 p.m.; 1 day, 9 p.m.; Saturdays (or other prescribed weekly holiday), 1 p.m.
<i>Exemption from closing time</i>	Certain shops	Businesses concerned with tobacco, books, stationery, confectionery, drugs and edibles, also pawnbrokers	Certain exempted shops
<i>Seats in Shops</i>	1 to 3 females	1 to 3 assistants	1 to 3 females

D.—CONSPECTUS OF WORKMEN'S

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.	SOUTH AUSTRALIA.
<i>Name of Act.</i>	Workmen's Compensation Act 1910.	Workmen's Compensation Act 1915.	The Workers' Compensation Act 1916.	The Workmen's Compensation Act 1911.
<i>Definition of Employer.</i>	A person who habitually employs at least four persons, and includes companies, corporations, etc.	Includes any body of persons, corporate or incorporate.	Includes persons, firms, companies and corporations employing workers.	Includes any body of persons, corporate or incorporate.
<i>Nature of Work to which Act applies.</i>	Manual labour in railway, tramway, factory, mine, quarry, wharf, vessel, engineering, or building work, and proclaimed dangerous employment.	Manual workers. Other workers with incomes up to £250.	Industrial, commercial, manufacturing, building, agricultural, pastoral, mining, quarrying, engineering, or hazardous work.	Manual only, with incomes up to £5 a week.
<i>Workers expressly excluded.</i>	Casuals. Miners coming under the provisions of the Miners' Accident Relief Act.	Workers other than manual earning over £250. Police, outworkers, members of employer's family.	Casuals, police, subscribers to superannuation fund, members of employer's family.	Persons earning over £5 a week. Outworkers, members of employer's family, seamen whose injury occurs outside jurisdiction, agricultural, horticultural, viticultural, dairying or pastoral workers where machinery is not used, clerks, domestic servants.

## FEATURES OF ACTS IN FORCE IN AUSTRALIA, 1915.

SOUTH AUSTRALIA.	WESTERN AUSTRALIA.	TASMANIA.
Early Closing, 1911 and 1912	Early Closing, 1902, 1904 (2), and 1911	Factories, 1910, 1911, with amendments Shops Closing 1911, with amendments
...	56 hours per week	...
Boys and girls under 16, 52 hours Boys and girls under 16, 9 hours (except 11 hours on 1 day)	Boys under 16 & all females, 52 hours Boys under 16 & all females, 9 hours (except 10½ hours on 1 day)	Females and boys under 16, 52 hours Females and boys under 16, 9 hours (except 12 hours on 1 day)
...	One hour interval between noon and 3 p.m. If open after 6.30 p.m., 1 hour for tea	Females and boys under 16, 5 hours
...		Females and boys under 16, ½ hour
3 hours 40 days	3 hours 12 days per half-year	3 hours } With consent of Chief 40 days } Inspector of Factories
4 days, 6 p.m.; 1 day, 9 p.m.; 1 day, 1 p.m.	4 days, 6 p.m.; 1 day, 9 p.m.; 1 day, 1 p.m. (Opening hour not earlier than 8 a.m.)	4 days, 5 p.m.; 1 day, 10 p.m.; 1 day, 1 p.m.
Certain classes of shops	Shops such as hairdressers, newsagents, tobacconists, and those selling drugs and edibles	Shops registered as small shops, and certain shops such as tobacconists, newsagents and those selling edibles
...	...	1 to 3 females

## COMPENSATION ACTS IN AUSTRALIA.

WESTERN AUSTRALIA.	TASMANIA.	COMMONWEALTH. (Employees.)	COMMONWEALTH. (Seamen.)
Workers' Compensation Act 1912.	The Workers' Compensation Act 1910.	Commonwealth Workmen's Compensation Act 1912.	Seamen's Compensation Act 1911.
Same as South Australia.	Same as South Australia.	The Commonwealth.	Same as South Australia.
Manual, clerical, or otherwise, with income up to £300 a year.	Manual in any railway, factory, mine, quarry or engineering work, or any other industry included by resolution of Parliament.	Manual, clerical, or otherwise.	Navigation or working of ships registered in Australia; Seamen shipped under Articles of Agreement in Australia while under Commonwealth law included.
Persons whose remuneration exceeds £300 a year. Casuals, police, outworkers, members of employer's family.	Casuals (defined as employed for not longer than 27 hours per week), manual workers earning over £156 a year.	Persons not employed in manual labour earning over £500 a year. Outworkers, naval and military forces on active service.	Seamen on vessels ordinarily propelled by oars, and those in naval or military service.

## CONSPECTUS OF WORKMEN'S

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.	SOUTH AUSTRALIA.
<i>Employer not liable to pay compensation for</i>	Injury disabling for less than two weeks.	Injury incapacitating for less than a week.	Injury incapacitating for less than three days.	First week of injury if disabled for less than two weeks.
<i>In event of insolvency maximum amount of compensation admitted as first charge on assets per individual.</i>	Full amount.	£200.	Insurance compulsory in State Accident Insurance Fund.	£100.
<i>Compensation in case of Death.</i> If dependants left ...	3 years' earnings, or £200, whichever larger; maximum, £400.	3 years' earnings, or £200, whichever is the larger; maximum, £500.	3 years' earnings, or £300, whichever larger; maximum, £600.	3 years' earnings, or £200, whichever larger; maximum, £300.
If no dependants, maximum amount for medical attendance and funeral expenses.	£12, if not payable by a Friendly Society.	£50.	£50.	£20.
<i>Compensation in case of Incapacity</i> Weekly payment ...	Half average weekly earnings; maximum £1.	Half average weekly earnings; maximum, 30s.	Half average weekly earnings; maximum, £2, minimum, £1.	Half average weekly earnings; maximum, £1.
Maximum total liability ...	£200.	£500.	£750.	£300.
<i>Compensation of Workers over 60 years of age who have entered into an agreement.</i> Death, with Dependants—Minimum Incapacity—Minimum weekly payment ...	£50.	£50.	...	£50.
Maximum total liability ...	5s.	5s., or quarter of weekly earnings, whichever larger.	...	5s.
Maximum total liability ...	£50.	£50.	...	£50.
<i>Compensation for infirm workers who have entered into an agreement.</i> Death, Minimum payment...	£25, or 30 times average weekly earnings, whichever larger.	£50.	...	£50.
Incapacity—Minimum weekly payment	5s., or quarter of weekly earnings, whichever larger.	5s., or quarter of weekly earnings, whichever larger.	...	5s.
Maximum total liability ...	£50.	£50.	...	£50.
<i>Compensation for workers under 21 years of age earning less than 20s. weekly.</i> Weekly payment ...	Average weekly earnings; maximum, 10s.	Average weekly earnings; maximum, 10s.	...	Average weekly earnings; maximum, 10s.
Waiting time ...	Two weeks.	One week.	Three days. Compensation from date of accident if incapacity lasts over three days.	One week. No compensation for first week unless incapacity lasts over two weeks.

## COMPENSATION ACTS IN AUSTRALIA—Continued.

WESTERN AUSTRALIA.	TASMANIA.	COMMONWEALTH. (Employees.)	COMMONWEALTH. (Seamen.)
Same as South Australia.	Same as South Australia.	...	Same as South Australia.
£150.	£100.	...	Full amount.
3 years' earnings, or £300, whichever larger; maximum, £400.	3 years' earnings, or £100, whichever larger; maximum, £200.	3 years' earnings, or £200, whichever larger; maximum, £500.	3 years' earnings, or £200, whichever larger; maximum, £500.
£100.	£30.	£30.	£30.
Medical attendance, up to £1. Half average weekly earnings; maximum, £2. £400.	Half average weekly earnings; maximum, 30s. £200.	Half average weekly earnings; maximum £2.	Half average weekly earnings; maximum, 30s.
£100.	£50.	...	(If seamen entitled to Commonwealth Old-age pension, amount of compensation and pension together not to exceed 30s. weekly.)
10s.	10s.	...	
£100.	£50.	...	
£100.	£25, or 39 times average weekly earnings, whichever larger.	...	...
10s.	5s., or quarter of weekly earnings, whichever larger.	...	...
£100.	£50.	...	...
Average weekly earnings; maximum, 20s.	Same as New South Wales.	Same as New South Wales.	Same as New South Wales.
Same as South Australia.	One week. No compensation paid for first week unless incapacity lasts two weeks.	None.	One week. No compensation for first week unless incapacity lasts two weeks.



CONSPECTUS OF WORKMEN'S

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.	SOUTH AUSTRALIA.
<i>Period after which lump sum can be substituted for weekly payment.</i>	Six months.	Six months.	Any time.	Six months.
<i>Tribunal, if claim not settled by agreement.</i>	District Court, if claim over £30. Stipendiary or Police Magistrate, if £30 or less.	Judge of County Court or Police Magistrate.	Insurance Commissioner, Industrial Referee, Supreme Court.	Arbitrator. If arbitrator not agreed on within one month, special Magistrate. Appeals to Supreme Court.
<i>Regulations for worker leaving the State in which he was injured.</i>	(No provision.)	Same as South Australia.	If permanent incapacity proved, 158 times weekly payments substituted for weekly payments in case of worker leaving Commonwealth.	If permanent incapacity likely, quarterly substituted for weekly payments in case of worker leaving State.
<i>Proceedings for compensation not maintainable unless commenced within</i>	Six months.	Six months.	Six months.	Six months.

7. **Other Acts.**—Other legislation regulating conditions of labour has been enacted by the States. The British *Conspiracy and Protection of Property Act* (38 and 39 Vic., c. 86) has been adopted in all the States except New South Wales and Queensland. Servants' registry offices are placed under administrative control, and the rates of commission chargeable are fixed by regulation. Power is given to workmen to attach moneys due to a contractor who employs them, in order to satisfy a claim for wages, such wages being made a first charge on moneys due to a contractor. Workmen are given a lien for wages over material whereon they are working, even if it becomes part of other property. This is in addition to the common law lien, which ceases when possession of the property is parted with. Workmen's wages are protected from attachment. In Victoria, provision is made for the compulsory resumption of suburban lands to provide workmen's homes.

8. **General Results of Industrial Legislation.**—The results of the Legislation described must be sought in the Reports of the Inspectors of Factories of the several States. Generally speaking, the perusal of these reports and of the reports of Royal Commissions which have inquired into the working of the Acts, affords satisfactory evidence that the Acts have, on the whole, effected their objects.

§ 3. Legislative Regulation of Wages and Terms of Contract.

1. **General.**—Two systems, based upon different principles, exist in Australia for the regulation of wages and general terms of contracts of employment. A "Wages Board" system exists in Victoria and Tasmania, and an Industrial Arbitration Court in Western Australia. In the industrial legislation of New South Wales, Queensland, and South Australia, both systems are embodied, Industrial or Wages Boards, as well as Industrial Courts, being instituted. In Victoria, Wages Boards' decisions may be reviewed by the Court of Industrial Appeals. In New South Wales, Industrial Arbitration Acts of 1901 and 1905 instituted an Arbitration Court. This court expired on 30th June, 1908, having delivered its last judgment on the previous day. Wages Boards were substituted under the Industrial Disputes Act 1908, and subsequent years; while the Act of 1912 introduced the mixed system. There is also the Arbitration Court of the Commonwealth, which has power, however, to deal only with matters extending beyond the limits of a single State.

COMPENSATION ACTS IN AUSTRALIA—Continued.

WESTERN AUSTRALIA.	TASMANIA.	COMMONWEALTH. (Employees.)	COMMONWEALTH. (Seamen.)
Six months.	Two weeks.	Six months.	Six months.
Local Court.	Commissioner (under Local Courts Act 1896) acting as Arbitrator.	Arbitrator or County Court.	Arbitrator or County Court.
Weekly payments continue in case of worker leaving State.	Same as South Australia.	If permanent incapacity likely, quarterly substituted for weekly payments in case of worker leaving Australia.	If permanent incapacity likely, quarterly substituted for weekly payments in case of worker leaving Australia.
Six months.	Six months	Six months.	Six months, or 18 months if ship lost at sea.

The chief aims of the Wages Board system are to regulate hours, wages, and conditions of labour and employment, by the determination of a Board usually brought into existence for any specified industry or group of industries by petition or application. Under the Industrial Arbitration Court system an industry does not technically come under review until a dispute has actually arisen. Most of the Acts, however, have given the President of the Court power to summon a compulsory conference. In Victoria, where the Wages Board system is in force, there is no provision against strikes, but in Tasmania, where that system has also been adopted, penalties are provided for a lock-out or strike on account of any matter in respect of which a Board has made a determination.

Particulars were given as to the historical development, mode of constitution and general provisions of Wages Boards and Arbitration Courts in Year Book-No. 9, pages 960 to 966. These refer to the regulation of wages and working conditions, and the prevention and settlement of industrial disputes.

**2. Comparative Statement of Tribunals for Regulating Wages in Australia.**—The table on pages 970 and 971 shews at a glance the Acts which operate in fixing wages, the constitution and function of tribunals enacted under them, and the effect and extent of the tribunals' decisions. It will be seen that in all the States there is machinery for the regulation of wages.

**3. Movement Towards Uniformity.**—The wide difference between the development in the several States of the Commonwealth of the regulation by State institutions of the remuneration and conditions of the workers has given rise to a desire on the part of the Commonwealth Government to secure uniformity throughout Australia by any suitable and constitutional action on the part of the Commonwealth. The provisions of States' wages laws vary considerably. In New South Wales, Victoria, and Western Australia, considerable experience has been gained of their working. The system is newer in South Australia, Queensland, and Tasmania. The desirability of uniformity has, as already mentioned, been recognised by the New South Wales Arbitration Court, which refused the Bootmakers' Union an award which would increase the wages of its members to amounts exceeding those paid in Victoria in the same trade, the express ground of the refusal being that New South Wales manufacturers would be handicapped by the payment of a higher rate of wage than that prevailing in Victoria.

## TRIBUNALS FOR THE REGULATION OF

Particulars.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.
<i>Name of Acts</i>	Industrial Arbitration Act 1912	Factories and Shops Act 1915	Industrial Peace Act 1912†
<i>Nature of Tribunals</i>	Court of Industrial Arbitration. Industrial Boards	Court of Industrial Appeals. Wages Boards*	Industrial Court. Industrial Boards
<i>How Tribunals are brought into existence</i>	Industrial Court (Judge) constituted by Act. Industrial Boards by the Minister on recommendation of Industrial Court.	Court constituted by Acts. Wages Boards by Governor-in-Council on resolution of Parliament	Industrial Court constituted by the Act. Industrial Boards, by Governor-in-Council on recommendation of Court
<i>Scope of Acts</i>	To industrial groups named in Schedule to Act, and those added by Proclamation. Includes Government servants	To any process, trade, business, or occupation specified in a resolution. Government servants are not included	To callings specified in Schedule to Act, and to those added by Governor-in-Council
<i>How a trade is brought under review</i>	Reference by Court or Minister, or by application to the Board by employers (having not less than 20 employees) or industrial unions	Usually by petition to Minister	By submission to the Court by (1) the Minister or the Registrar; (2) an employer employing not less than 20 employees in any calling; and (3) not less than 20 employees in any calling
<i>President or Chairman of Tribunal</i>	Appointed by Minister on recommendation of Court.	Appointed by Governor-in-Council on nomination of Board, or failing that on nomination by Minister	Any person elected by Board. If none elected, appointment is by the Governor-in-Council on recommendation of Court
<i>No. of Members of Tribunal</i>	Chairman, and 2 or 4 other members	Not exceeding 11 (including chairman)	Not less than 5 nor more than 13 (including chairman)
<i>How ordinary members are appointed</i>	Appointed by Minister on recommendation of Industrial Court	Nominated by Minister. But if one-fifth of employers or employees object, representatives are elected by them	By employers and employees respectively
<i>Decisions — how enforced</i>	By Registrar and Industrial Magistrate	By Factories Department in Courts of Petty Sessions before Police Magistrates.	By Inspectors of Factories and Shops, Department of Labour
<i>Duration of decision</i>	For period fixed by Tribunal, but not more than 3 years.	Until altered by Board or Court of Industrial Appeals	12 months and thereafter, until altered by Board or Court
<i>Appeal against decision</i>	To Industrial Court against decision of Boards	To the Court of Industrial Appeals	To Industrial Court
<i>If suspension of decision possible pending appeal?</i>	No; except by temporary variation of award by the Court	Yes; for not more than 12 months	Yes; for not more than 3 months
<i>Can Preference to Unionists be declared?</i>	Yes	No	No
<i>Provision against strikes and lockouts</i>	Strikes, penalty £50, registration as industrial union, and preference to unionists cancelled. Lockouts, penalty £1000, and registration as industrial union cancelled	Determination may be suspended by Governor-in-Council for any period not exceeding 12 months.	Strikes £50, lockouts £1000, unless notice of intention given to Registrar and secret ballot taken in favor. In the case of public utilities, compulsory conference also must have proved abortive
<i>Special provisions for Conciliation</i>	Special Commissioner.* Conciliation Committees for colliery and other districts. Registered agreements	None	Compulsory Conference. Registered agreements

\* Functions not now in operation.

† The Industrial Arbitration Act 1916 came into force on the 12th January, 1917.

WAGES IN TRADES IN AUSTRALIA, 1915.

SOUTH AUSTRALIA.	WESTERN AUSTRALIA.	TASMANIA.	COMMONWEALTH.
The Factories Acts 1907, 1908, 1910 and 1915. Industrial Arbitration Act 1912. Industrial Arbitration Act Amendment Acts 1915 and 1916.	Industrial Arbitration Act 1912	Wages Boards Acts 1910, 1911, 1913 and 1915.	Conciliation and Arbitration Act 1904-14. Arbitration (Public Service) Act 1911
Industrial Court. Wages Boards	Arbitration Court	Wages Boards	Court of Conciliation and Arbitration.
Court constituted by Act of 1912. Wages Boards by the Governor-in-Council, pursuant to resolutions of Parliament	Constituted by the Act	By Governor-in-Council pursuant to resolutions of Parliament	Court of Record constituted by the Act
To processes, trades, etc., specified in Act, and such others as may be authorised by Parliament	All industrial occupations other than domestic service	To clothing and apparel trades and any other trades or groups or parts	Industrial disputes extending beyond limits of any one State or in Federal Capital or Northern Territories
Court—matters or disputes submitted by Minister, Registrar, employers or employees, or by report of Wages Board. Wages Boards by petitions, etc.	Industrial disputes referred by President or by an Industrial Union or Association	Usually by petition to Minister	Industrial disputes either certified by Registrar, submitted by organisation, referred by a State Industrial authority or by President after holding abortive Compulsory Conference
Court—President. Wages Board, appointed by Governor on nomination of Board, or falling nomination a Stipendiary Magistrate	A Judge of the Supreme Court	Any person elected by the Board. If none elected, appointment of a Justice of the Peace by the Governor-in-Council	President
Court, President only. Wages Board, not less than 5 nor more than 11 (inclusive of chairman)	Three, including president	Chairman, and not less than four nor more than ten	President only
By Governor on nomination of employers and employees respectively	Appointed by Governor, President directly, and one each on recommendation of unions of employers and workers respectively	By Governor-in-Council on nomination by employers and employees	President appointed by Governor-General from Justices of High Court for a term of 7 years.
By Factories Department	By Arbitration Court on complaint of any party to the award or Registrar or an Industrial Inspector	By Industrial Department.	By proceedings instituted, by Registrar, or by any organisation affected, or a member thereof
Until altered by Board or by order of Industrial Court.	For period fixed by Court, not exceeding 3 years, or for 1 year and thenceforward from year to year until 30 days' notice given	Until altered by Board.	For period fixed by award, not exceeding 5 years
Industrial Court	No appeal except against imprisonment or a fine exceeding £20	To Supreme Court against validity of determination only	No appeal. Case may be stated by President for opinion of High Court
Yes	No suspension. Court has power to revise an award after the expiration of 12 months from its date	Yes	No appeal
No	No	No	Yes; ordinarily optional, but mandatory if in opinion of Court preference is necessary for maintenance of industrial peace or welfare of society
Penalty £500, or imprisonment for 3 months	Employer or Industrial Union, £100 other cases, £10.	Organisations, £500; individuals, £20	Penalty, £1000.
Compulsory Conference. Industrial Court. Registered agreements	Compulsory Conference. Registered agreements	None	Compulsory Conference. Court may temporarily refer to Conciliation Committee, Registered agreements

4. **Constitution Alteration Proposals.**—Two proposed laws for the alteration of the constitutional powers of the Commonwealth in regard to industries and businesses were submitted to the people for acceptance or rejection on the 26th April, 1911. The first law proposed to amend section 51 of the Constitution Act (see pp. 25 and 26 hereinbefore) so as to give the Commonwealth Government increased powers to deal with (a) trade and commerce, (b) corporations, (c) industrial matters, and (d) trusts and monopolies. The second law proposed to insert, after section 51 of the Constitution Act, a section empowering the Commonwealth Government to make laws with respect to monopolies. Neither of the proposals was approved by the people. Fuller particulars are given on page 25 of this book. At the general elections, held on 31st May, 1913, these and other matters were again submitted by referendum and again rejected.

5. **The "New Protection."**—The opinion has been expressed that a manufacturer who benefits by the Commonwealth protective tariff should charge a reasonable price for the goods which he manufactures, and should institute a fair and reasonable rate of wage and conditions of labour for his workmen.

The above view is known as the "New Protection," a phrase which, though novel, is already firmly established in Australian economic discussions. The outcome has been the enactment of new laws, designed for the benefit of the workers, and for controlling monopolies and trusts which would otherwise exploit the necessaries of life.

By the Customs Tariff 1906, increased duties were imposed upon certain classes of agricultural machinery, notably the "stripper-harvester," a machine invented in Australia, which has, to a great extent, replaced the "reaper and binder and thrashing machine" in the harvesting of wheat. By the same Act it was enacted that the machines scheduled should not be sold at a higher cash price than was thereby fixed, and that if that price should be exceeded, the Commonwealth Executive should have power, by reducing the Customs duties imposed by the Act, to withdraw the tariff protection.

By the Excise Tariff Act 1906 (No. 16 of 1906), an excise of one-half the duty payable upon imported agricultural machinery was imposed upon similar machinery manufactured in Australia. But it was provided that the latter should be exempt from excise if the manufacturer thereof complied with the following condition, namely, that the goods be manufactured under conditions as to the remuneration of labour, which—

- (a) Are declared by resolution of both Houses of the Commonwealth Parliament to be fair and reasonable ;
- (b) Are in accordance with the terms of an industrial award under the Commonwealth Conciliation and Arbitration Act 1904 ;
- (c) Are in accordance with the terms of an industrial agreement filed under the last-mentioned Act ;
- (d) Are, on an application made for the purpose to the President of the Court, declared to be fair and reasonable by him or by a judge of a State Court or a State industrial authority to whom he may refer the matter.

By the Excise Tariff Act 1906 (No. 20 of 1906), excise duties are imposed in respect of spirits, and it is provided that if any distiller (i.) does not, after the Act has been passed a year, pay his employees a fair and reasonable rate of wages per week of forty-eight hours

or (ii.) employs more than a due proportion of boys to men engaged in the industry, the Executive may on the advice of Parliament impose an additional duty of one shilling per gallon on spirits distilled by that distiller.

Exemptions have been claimed by the manufacturers of agricultural machinery in South Australia, New South Wales, Victoria, and Tasmania. These were granted in the two first-mentioned States in consequence of an agreement entered into between the employers and employees. In Victoria, "this whole controversial problem with its grave social and economic bearings" (to quote the words of the President of the Court) was discussed in a lengthy case upon the application for exemption by Victorian manufacturers, now widely known as the "Harvester Case," and in the report of that case may be found the legal interpretation of the Acts under consideration. The exemptions claimed were refused, and the court after discussing the meaning of the words "fair and reasonable," defined them by laying down what it considered to be a scale of fair and reasonable wages.

The High Court has pronounced that the legislation under these Excise Acts is unconstitutional as being an extension of Federal action beyond the powers granted, and a usurpation of the ground reserved to the States. It may be noted that the rejected measures were enacted with the consent of all parties in Parliament, having been placed upon the Statute Book whilst the Liberal party was in power, the Labour representatives strongly supporting the proposals.

## § 4. Operations under Wages Board and Industrial Arbitration Acts.

1. **General.**—Particulars regarding operations under the Commonwealth Arbitration Acts and the various State Acts for the regulation of wages and hours and conditions of labour, shewing the number of boards authorised, constituted, and in existence, and which had or which had not made any award or determination in each State; the number and territorial scope of awards or determinations, and the number of industrial agreements in force, were first compiled to the 31st December, 1913.<sup>1</sup>

These particulars have from time to time been revised, and reviews to the end of approximately quarterly periods have been published in the periodical Labour Bulletins to the 31st December, 1916. Information has also been compiled and included in the later issues of the Labour Bulletin, respecting the estimated number of workpeople affected by awards or determinations and industrial agreements in each State. In addition, a brief quarterly epitome has been given of the number of awards and determinations made and industrial agreements filed under the Act in force in each State and the Commonwealth Conciliation and Arbitration and the Commonwealth (Public Service) Arbitration Acts. The following tabular statement gives particulars of the operations in each State and under the Commonwealth Statutes during each quarter of the years 1915 and 1916 respectively:—

---

1. Information as to the main provisions of the various Acts in force was given in Labour Bulletin No. 1, pp. 57 to 60.

**AWARDS AND DETERMINATIONS MADE AND INDUSTRIAL AGREEMENTS FILED IN  
EACH QUARTER OF 1915 and 1916.**

State and Commonwealth.	1st Quarter.		2nd Quarter.		3rd Quarter.		4th Quarter.		Full Year.	
	Awards or Determinations made.	Agreements Filed.	Awards or Determinations made.	Agreements Filed.	Awards or Determinations made.	Agreements Filed.	Awards or Determinations made.	Agreements Filed.	Awards or Determinations made.	Agreements Filed.
1915.										
N. S. Wales ...	28	9	40	6	38	6	39	4	145	25
Victoria ...	3	...	2	...	17	...	31	...	53	...
Queensland ...	1	1	7	...	13	2	14	7	35	10
S. Australia ...	...	...	...	1	2	...	6	4	8	5
W. Australia ...	1	7	4	6	2	5	11	3	18	21
Tasmania ...	1	...	...	...	7	...	...	...	8	...
Commonwealth ...	1	...	2	113†	2	18	2	51†	7	182
Total ...	35	17	55	126	81	31	103	69	274	243
1916.										
N. S. Wales ...	28	7	53	14	53	14	66	14	200	49
Victoria ...	34	...	21	...	18	...	13	...	86	...
Queensland ...	11	2	26	27	18	8	14	5	69	42
S. Australia ...	5	3	7	2	10	...	7	1	29	6
W. Australia ...	3	2	6	3	1	3	4	5	14	13
Tasmania ...	3	...	7	...	3	...	1	...	14	...
Commonwealth ...	...	2	5	3	4	5*	5	11	14	21
Total ...	84	16	125	49	107	30	110	36	426	131

\* Including 1 agreement varied in respect to wages only. † Of this number, 108 agreements were made between the Federated Engine Drivers' and Firemen's Association and various employers, in terms of an Award of the Commonwealth Court. ‡ Including 49 agreements made between the Federated Engine Drivers' and Firemen's Association and various employers, in terms of an Award of the Commonwealth Court.

Owing to the prevailing drought conditions and the advent of war during the year 1914, varying restrictive measures were introduced either for the suspension or curtailment of the operations of industrial tribunals in each of the States. These restrictions were apparently most effective in New South Wales, Victoria, and Queensland. New South Wales is the only State in which rates of wages, etc., are fixed, for a specified period, by industrial tribunals, and lapse by effluxion of time. In order, therefore, to assist in maintaining the legal minimum wage in New South Wales, a number of awards, extending for varying short periods the operation of expired awards, were made by Industrial Boards during the last quarter of 1914 and the first quarter of 1915. Notwithstanding these awards there were, during that period, at different times, upwards of 50 industries for which awards had expired and in which no legal wage was in force. During the second quarter of 1915 the restrictions referred to were somewhat relaxed in New South Wales and Queensland, and early in the third quarter operations gradually assumed normal conditions in all the States. During the third and fourth quarters of 1915 greater activity was evidenced in each State, and the number of awards

and determinations made by industrial tribunals exceeded those made during any similar period of the two years under review. This activity continued during the year 1916, when no less than 426 awards and determinations were made.

## 2. Boards Authorised, and Awards, Determinations, and Agreements in Force.—

In the following table particulars are given for all States, excepting Western Australia, of the number of boards authorised, constituted, and in existence, and including operations under the Commonwealth and the Western Australian Arbitration Acts, of the number of awards, determinations, and industrial agreements in force in all States at the 31st December, 1913, and at approximately quarterly intervals during the succeeding three years :—

### PARTICULARS OF BOARDS AND OF AWARDS, DETERMINATIONS AND INDUSTRIAL AGREEMENTS IN FORCE AT 31st DECEMBER, 1913, AND AT APPROXIMATELY QUARTERLY INTERVALS TO 31st DECEMBER, 1916.

Dates.	Boards Authorised.	Boards Constituted.	Boards in Existence.	Boards which had made Awards or Determinations.	Awards or Determinations in Force.†	Industrial Agreements in Force.
31st December, 1913* ...	504	501	484	387	575§	401
30th April, 1914* ...	525	509	492	422	575	415
30th June, 1914 * ...	537	523	504	457	584	429
30th September, 1914* ...	549	539	517	474	599	409
31st December, 1914* ...	553	544	522	478	576‡	369
31st March, 1915* ...	560	551	526	486	589‡	371
30th June, 1915* ...	568	557	532	495	638	481
30th September, 1915* ...	582	570	536	495	644	498
31st December, 1915* ...	573¶	554¶	546	498	663	546
31st March, 1916* ...	580	558	542	495	651	553
30th June, 1916* ...	589	571	555	512	678	581
30th September, 1916* ...	591	573	557	519	683	596
31st December, 1916 ...	594	572	554	525	706	609

\* Details have already been published as follows :—To 31st December, 1913 (Year Book No. 7, pp. 931-3); to 30th April, 1914 (Labour Bulletin No. 5, pp. 66-8); to 30th September, 1914 (Labour Report No. 5, pp. 61-6); to 31st December, 1914 (Labour Bulletin No. 8, pp. 266-9); to 31st March, 1915 (Labour Bulletin No. 9, pp. 73-8); to 30th June, 1915 (Labour Bulletin No. 10, pp. 176-180); to 30th September, 1915 (Labour Bulletin No. 11, pp. 267-272); to 31st December, 1915 (Labour Bulletin No. 12, pp. 416-43); to 31st March, 1916 (Labour Bulletin No. 13, pp. 84-92); to 30th June, 1916 (Labour Bulletin No. 14, pp. 194-201), and to 30th September, 1916 (Labour Bulletin No. 15, pp. 304-310).

† Including awards made by Arbitration Courts. ‡ Owing to certain restrictions being imposed on the operations of Industrial Boards in each State, a number of awards which expired in New South Wales during these periods, were not immediately reviewed. § Excluding awards or determinations which expired in New South Wales (under the Act of 1908) on 31st December, 1913. ¶ Owing to a number of awards made under the N.S.W. Industrial Disputes Act (1908) being still in force, the Boards constituted for such industries under the Industrial Arbitration Act (1912) had not made any awards. ¶ See remarks with respect to re-authorisation of Boards in New South Wales, Labour Bulletin No. 12, p. 47.

It will be observed from the particulars set out in the above table that considerable expansion of the principle of the fixation of a legal minimum rate of wage and of working conditions took place during the three years ending 31st December, 1916. For the five States, exclusive of Western Australia, 70 additional boards were brought into existence, and including the operations under the Commonwealth Arbitration Acts\* and of the Western Australian Industrial Arbitration Court, 131 additional awards or determinations were in force at the end of 1916. The number of industrial agreements† made and in force under the various Acts increased during the three years under review by 208.

\* The Commonwealth Conciliation and Arbitration Act 1904-15, and the Commonwealth (Public Service) Arbitration Act 1911.

† The registration of Industrial agreements is not provided for under the Acts in force in Victoria and Tasmania, but such agreements may be registered and filed under the provisions of the Commonwealth Conciliation and Arbitration Act to operate in any or in all States.



976 OPERATIONS UNDER WAGES BOARD AND INDUSTRIAL ARBITRATION ACTS.

In the following table, particulars are given for each State and the Commonwealth of the number of Boards authorised, etc., etc., at the 31st December, of the years 1913 to 1916 inclusive:—

**BOARDS AUTHORISED AND CONSTITUTED, AWARDS, DETERMINATIONS, AND AGREEMENTS IN FORCE AT 31st DECEMBER, 1913, 1914, 1915 and 1916.**

Particulars.	At 31st Dec.	C'wth.	N.S.W.	Vic.	Q'ld.	S.A.	W.A.	Tas.	Total.
<i>Boards Authorised, etc.*</i>									
Boards authorised ...	1913 ...	...	216†	135	75	56	...	23	505
	1914 ...	...	230†	139	101	56	...	27	553
	1915 ...	...	226	147	112‡	56	...	32	573
	1916 ...	...	234	147	122	57	...	34	594
Boards constituted ...	1913 ...	...	223†	132†	74	51	...	21	501
	1914 ...	...	238†	135†	94	51	...	26	544
	1915 ...	...	226	142†	104	51	...	31	554
	1916 ...	...	234	143†	111	51	...	33	572
Boards in existence ...	1913 ...	...	207†	131	74	51	...	21	484
	1914 ...	...	217†	135	93	51	...	25	532
	1915 ...	...	226	141	98	51	...	30	546
	1916 ...	...	234	142	119‡	51	...	32	554
Boards which had made Awards or Determinations	1913 ...	...	123	123	74	47	...	19	386
	1914 ...	...	186	130	92	47	...	23	478
	1915 ...	...	196	133	96	47	...	26	498
	1916 ...	...	211	137	97	49	...	31	525
<i>Awards and Determinations—</i>									
Awards and Determinations in force ...	1913 ...	17	265	127	73	54	18	21	575
	1914 ...	18	242	133	89	55	46	26	609
	1915 ...	20	261	137	103	56	57	29	693
	1916 ...	30	258	141	120	62	64	31	706
<i>State Awards and Determinations—</i>									
Applying to Whole State ...	1913 ...	...	32	8	3	...	...	15	58
	1914 ...	...	17	10	4	...	...	19	50
	1915 ...	...	26	12	7	...	...	20	65
	1916 ...	...	8	12	8	...	...	21	49
Applying to Metropolitan area	1913 ...	...	58	...	28	53	13	1	153
	1914 ...	...	63	...	30	54	25	1	173
	1915 ...	...	75	...	30	54	32	1	192
	1916 ...	...	74	1	33	58	37	2	235
Applying to Metropolitan and Country areas ...	1913 ...	...	49	105	1	...	1	5	161
	1914 ...	...	41	109	12	...	5	6	173
	1915 ...	...	38	111	17	...	7	8	181
	1916 ...	...	49	114	20	...	7	8	198
Applying to Country areas ...	1913 ...	...	126	14	41	1	4	...	186
	1914 ...	...	121	14	43	1	16	...	195
	1915 ...	...	122	14	49	2	18	...	205
	1916 ...	...	127	14	59	4	20	...	224
<i>Commonwealth Awards—</i>									
Awards in force in each State	1913 ...	...	13	17	15	16	9	13	...
	1914 ...	...	16	17	15	15	8	12	...
	1915 ...	...	17	19	15	16	10	14	...
	1916 ...	...	25	25	18	22	13	18	...
<i>Industrial Agreements—</i>									
In force ...	1913 ...	228	75	...	5	11	82	...	401
	1914 ...	173	78	...	10	17	85	...	369
	1915 ...	361	73	...	15	16	83	...	548
	1916 ...	374	85	...	49	18	83	...	609
Commonwealth Agreements in force in each State ...	1913 ...	...	132	129	68	62	57	61	...
	1914 ...	...	96	76	28	34	29	30	...
	1915 ...	...	119	229	29	36	30	33	...
	1916 ...	...	125	236	32	40	37	39	...
Number of Persons working under State Awards and Determinations (estimated)	1916 ...	...	260,000	150,000	90,000	25,000	32,000	12,000	569,000

\* The figures for New South Wales are exclusive of demarcation boards. † Including boards which were subsequently dissolved, owing to alteration to the sectional arrangement of industries and callings. ‡ Including one board subsequently superseded by three boards. § Including six boards, the authorisation of two of which was subsequently rescinded and four others were superseded for the purpose of varying the jurisdiction. ¶ Omitting a number of awards which expired on the 31st December, 1913. †† All Boards (with certain exceptions) appointed under the Industrial Peace Act 1913, were dissolved on the 23rd February, 1917. The Industrial Arbitration Act of 1916 came into force on the 12th January, 1917. Under the new Act all Boards will be reconstituted.

From the particulars set out in the above table, ready comparison can be made with respect to the progress in each of the States during the years 1913, 1914, 1915 and 1916, as to the number of Boards operating, and the number of Awards and Determinations, and Industrial Agreements in force at the end of each annual period.