stantial changes. The Acting Prime Minister, Mr Talboys, said that Communist Socialist Unity Party members were using the Bill as a vehicle for influencing or controlling the Shop Assistants' Union. The Government refused to accept a union request to amend the Shop Trading Hours Bill to provide only one late shopping night a week. After further stopwork meetings in protest at the Bill, butchers in Auckland went on strike for forty-eight hours but shop assistants rejected such action. J.O. ⊙

NEWS and VIEWS

WELLINGTON:
*Carol Fuller

INDUSTRIAL RELATIONS COUNCIL

It looks as though significant industrial relations issues this year will have to be handled outside the Industrial Relations Council. The Council last met in any form in Wellington last September when a subcommittee discussed new wage-fixing procedures to be put into practice with a return to freer wage bargaining. In April the President of the Federation of Labour, Sir Thomas Skinner, said that they had no intention of returning to the Council while the Government continued to use the Federation as a political football.

WAGE FIXING MACHINERY

The Minister of Labour's talks with the Employers Federation and the Federation of Labour on permanent machinery to come into effect on the expiry of the Wage Adjustment Regulations on 14 May failed to produce what the Minister has described as a "socially responsible" approach to wage determination. The matter was complicated by the Prime Minister's concern that any return to free wage bargaining might endanger the Government policy of further reducing the rate of inflation. Officials are now talking with the Employers Federation and the Federation of Labour in a further attempt to come up with suitable machinery. If talks progress well, it is likely that the new machinery will be outlined in the budget speech.

STATE SERVICES

The Combined State Services Organisation, which is under no illusions about the Minister's intentions to have integrated wage fixing machinery covering both the State and Private sectors, is also having to face up to his intention to amend the State Services Remuneration and Conditions of Employment Act to parallel certain industrial relations provisions which exist for the private sector. Already State unions are included under the coverage of the Commerce Amendment Act which deals with strikes over non-industrial matters and issues affecting the public interest. Increasing numbers of strikes by state servants (rare in the past, but now becoming common even in essential industries) and unsatisfactory provisions for the settlement of disputes over the application of interpretations (i.e. rights disputes) have no doubt strengthened the Minister's resolve to draft this legislation as quickly as possible. For consistency, it seems probable that the same scope for voluntary unionism as now exists in the private sector would be made, although most State unions are in fact run on voluntary lines.

I.L.O. CONFERENCE

The New Zealand delegation to the 63rd International Labour Conference in June this year was led by the Minister of Labour. The question of freedom of association and procedures for determining conditions of employment in the Public Service was one of the agenda items. Strenuous efforts by the Secretary of the Public Service Association to be included in the New Zealand contingent were to no avail although PSA membership of the Public Service International enabled him to get to the Conference. The composition of delegations is determined by an ILO formula which, in the case of the worker representatives, requires them to be chosen from that organisation which is most representative of unionised labour. In New Zealand this has always been regarded as the Federation of Labour. However, this appears to be an unfortunate interpretation as far as Public Servants are concerned since the Federation of Labour has no jurisdiction whatsoever over them. Other agenda items were the Working Environment (protection of

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workers against occupational hazards of pollution, noise and vibration), Working Conditions of Nursing Personnel, and Labour Administration.

MINISTER'S OVERSEAS VISIT

While the Minister was overseas for the International Labour Conference he took the opportunity to visit Canada, U.K., Sweden and Germany. In Germany, talks with the D.G.B. (F.O.L. equivalent) left him impressed with the degree of discipline and education which exist in the German Labour Movement and the significant investment which they make in research. In Sweden he was able to observe debate on the Co-determination issue, which is far from settled in that country. In Canada he looked at British Columbia Human Rights Legislation which makes provision for an Industrial Ombudsman to protect an individual from both his employer and his union, as does New Zealand's draft Human Rights Legislation.

HUMAN RIGHTS COMMISSION BILL

The Human Rights Commission Bill has received a generally favourable response, except for provisions relating to Industrial Unions. Provisions give an aggrieved member the right to complain to the Human Rights Commission where the union or an officer of the union is guilty of non-compliance with a rule or procedure, intimidation, or any action that causes loss or suffering to the member. A person who has been refused or deprived of membership or access to the benefits or facilities that membership conveys by reason of colour, race, ethnic or national origin, sex, marital status or religious or ethical belief, has similar rights. Opponents of provisions bringing Industrial Unions under the Human Rights Legislation consider that such matters are more correctly handled under industrial legislation. No doubt it is envisaged that the Commission will have regard to other appropriate avenues open to a complainant.

WELLINGTON BOILERMAKERS

Shortly after the Minister returned from his overseas trip, work again stopped on the Bank of New Zealand site. This came after an earlier return to work following an understanding between the Minister of Labour and the Wellington Trades Council that there would be a resolution of the union recognition problem. This arose when the Wellington Boilermakers were deregistered last year. The latest stoppage was on instructions from the Wellington Trades Council, which appears to have grown impatient with the protracted negotiations. The Minister has remained adamant throughout that while he is prepared to discuss union coverage he will not recognise the Wellington Boilermakers Society (formed out of the deregistered union) as it is presently constituted. An attempt by the Society to gain registration as an Industrial Union of Workers was recently turned down by the Registrar of Industrial Unions on the grounds that members could conveniently belong to the Engineers Union. No appeal has been made to the Industrial Court against the decision which, if upheld, would spell an end to the matter.

To permit discussions to recommence the Wellington Trades Council has now agreed to call off the strike. However, with the Minister's views clearly stated, the employers preference for the Engineers Union to have coverage of the local boilermakers, and the Federation of Labour and Trades Council support for the Wellington Boilermakers, the issue will not be an easy one to solve.

SHOP TRADING HOURS

Wellington Shop Assistants, along with their colleagues in a number of other centres, showed their opposition to the Government's Shop Trading Hours Bill with a stop work followed by a strike immediately preceding Queen's Birthday weekend. Speakers addressing a large gathering at the stop work in the Town Hall hit out at the Bill as leading to a breakup of family life, and marking the end of the five-day week. In view of what was alleged to be a general lack of support for the Bill, Government was called on to withdraw it. The original intention of the Bill, which has drawn such fierce opposition from unionists who will be affected, was to legalise a good deal of after hours trading which clearly seemed to be in the public interest. At the same time the opportunity was taken to permit flexibility,

with appropriate safeguards, in shop hours to accord with changing shopping patterns. Retailers, while they might prefer to retain existing opening hours now, may later perceive that increased labour force participation has resulted in a situation where it would benefit a majority to open outside normal working hours.

BUS DRIVERS

While shops in Wellington have been estimating the amount of takings lost as a result of the shopworkers strike, the Wellington City Council has been counting the lost revenue from rolling two-day bus strikes which took place in Wellington and other centres in April and May. The stoppages were related to the re-negotiation of the Public Passenger Transport Services Award. Contentious issues were an employer request to employ part-timers in the industry, and a difference of opinion on the question of the span of hours to be worked before a break. The stoppages were however declared unlawful because of a technicality: there had been a failure by the union to give the 14 day notice required by the Act before an essential industry goes on strike.

Government's industrial relations policy with respect to enforcement was thus put to the test. The Minister, acting on advice from officials, decided not to take any action. The matter escalated however when an interim injunction granted to a private citizen by the Auckland Supreme Court against further srikes by the bus drivers was ignored. This was contravening the law, and the resultant fine, which the union refused to pay, was paid anonymously. The FOL Conference, which was on when matters came to a head, was rather overtaken by the dispute. The conference devoted a whole day in committee to discussion on the matter, and agreed that a special committee should handle the legal issues arising. It is understood that the further actions which were contemplated by the private citizen, Auckland law student Chris Harder, to recover costs have now been dropped. Meanwhile, the settlement of the Award, which was split from the legal issues, proceeded and was successfully concluded with the FOL handling the negotiations for the union. ⊙

AUCKLAND:
*Syd Jackson

A Seminar was organised by the Auckland Trades Council in May to consider the **vexed question of casual labour or "body hire" firms.** These companies have mushroomed in recent years and have caused conflicting attitudes by Unions over the use of hired labour.

This matter came to a head on a Wiri construction job when a carpenter wrote to the N.Z. Herald claiming that the development of these firms was a retrograde step. These views were generally supported by delegates who attended the Seminar.

One delegate from the Carpenters Union said that these hire pool firms were merely parasitical bodies which had no valid place in society. He claimed that these hire pool agencies did not hire people over forty years of age, and did not provide the shelters, toilet facilities and other conditions which are required on construction sites. He claimed that they also permit untrained people to go on to their sites, who are a danger not only to themselves, but also to the people with whom they are working. He said the manner in which these men were employed made it doubtful whether they would be on a job long enough to be of any real help, and hard won working conditions would be eroded. He said that it was a step back to the days when workers had to queue up for jobs, when they could be dismissed on the spot without reason, and if you were the slightest bit militant or showed any pride the chances of getting a job or keeping it were slim.

The Labourers Union claimed that the greatest number of people employed by hire pool firms were in fact permanent employees, and that all casual workers went on to fee deductions from the first day they were employed by any hire pool company. They were, therefore, entitled to the full protection of the Union.

Several resolutions were passed which called for the proliferation of these labour hire pools to be strongly opposed; that Industrial Agreements to cover all such employees be negotiated, and that they be guaranteed a minimum eight hour day, and a forty hour week. The findings are to be distributed to affiliates and their comments

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are to be referred back to a further meeting of the Auckland Trades Council.

A related matter which was also discussed at this Seminar was the question of **labour only contracts.** Delegates contended that workers were being effectively 'de-awarded' by this trend and it was agreed that a further meeting be set up to plan action against labour only contracts.

In June the Trades Council called a meeting to report on the question of **injunctions, fines and other associated legal moves that are aimed at restricting the rights of Trade Unionists.** Four hundred delegates and officials attended, and they decided to endorse the Federation of Labour's Conference decisions and that in order to give effect to those decisions the following steps were to be taken:

1.—Suitable publicity to be developed urgently.
2.—A day time meeting of Union Executives and job delegates to be held to endorse and engender the widest possible support for industrial action against the use of penalties against Trade Unionists.
3.—That the co-operation of the Combined State Services Unions be sought.

The Trades Council also stated its opposition to the provisions of the **Shop Trading Hours Bill.** It was decided that the Council would support any affiliate that placed a ban on deliveries to any shop which was utilising the extended hours provision. ⊙

SYDNEY:
*B. T. Brooks

The May National Wages Case, foreshadowed in the May issue of this Journal, passed by with remarkably little reaction. This is noteworthy for several reasons. To begin with the Commission did not grant the full amount of the movement revealed in the Consumer Price Index. Instead, the Commissioner excluded the effect of devaluation on the imported items of the CPI. This component was seen as a small one but nevertheless the Commission, in the face of statistical difficulties, reduced the CPI increase of 2.3% to 1.9%. But the Commission did not stop there. Having subtracted the component for devaluation the Commission then increased all wages and salaries up to a plateau figure of $200 per week by the 1.9% and all wages and salaries beyond that figure by a flat rate of $3.80 per week. In short, for the second occasion, the Commission failed to pass on the full amount of the CPI. This means that unions can make the case that they are disadvantaged as against price movements and that they will have to go outside the Commission and indexation to advance their claims. Some unions have been reported as taking this line, notably the Builders Labourers,, yet overall it has not been the traditionally militant unions which have displayed opposition to the May decision or the work of the conciliation and arbitration tribunals.

For this there are several reasons. In Australia, as in New Zealand, the old craft-occupation unions, such as those in the metal trades industry, are learning that the composition of their membership is altering. Whereas in the past they could rely on the bulk of the membership being tradesmen who had served their time and were conscious of their skills and their committment to the union, today the metal trades unions are increasingly composed of unskilled process-workers. In Australia the process-worker is likely to be a non-English speaking migrant. Moreover the unskilled factory worker receives wages at the lowest end of the award scale. As a result the bulk of the membership in unions such as the metal tradesmen do in fact receive almost the full CPI figure. This is less true of the May decision but it is true for the previous National Wage Case. It is difficult, therefore, for the traditionally militant unions to sustain an aggressive posture given these demographic and occupational changes. Nor does it come as a surprise to learn that unions in the metal trade industry are at last recognising this reality as the amalgamations in this area demonstrate. The old metal trades, boilermakers and shipwrights have recently merged and at one level at least this can be interpreted as an attempt to ensure that the voice of the craftsman is still dominant in union affairs.

Given that a silent revolution partly explains the general acceptance of the National Wage Case what other reasons are there? One, it is suggested, is to be found in the very clear hint given by the Commission that it was fast reaching the

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point where direct trade union action would be interpreted as a failure to observe wage indexation guidelines. With reluctance the Commission held that the requirement of substantial compliance with the guidelines had been met notwithstanding two major stoppages, one which affected petrol supplies, the other bringing air travel virtually to a halt. For the smaller unions this hint would seem to be enough as they rely on indexation and their support largely keeps the conciliation system alive. Nonetheless it is suggested that indexation is now tottering.

The strain is imposed from two directions. One is the still largely unexplained price-freeze. The Commission in the May hearing accepted that prices had paused during the freeze and that the Prices Justification Tribunal was holding prices. But, said the Commission, the concept is not adequately defined, surveillance is limited and indeterminate and there are great problems with statistics on the freeze. Therefore there would be no departure from indexation guidelines and normal principles were to apply to the May wage case. There was not a trade-off of wages and prices. But there is to be an inquiry into wage-fixing procedures.

Lack of clarity about the effects of the price-freeze helped the Commission and at the same time made it difficult for the opponents to mount a case outside the Commission. Since May, however, other factors have intruded. One is that unemployment is now at its highest level since the Depression and the Treasurer, Mr Lynch, has made it clear that Australia may never return to full employment. The policy of full employment and price stability may have proven too difficult a balancing act and if governments on either side of the Tasman are to abandon their traditional beliefs in the desirability of full employment then the industrial relations implications are profound. An equal impact is administered by inflation which refuses to abate in Australia. One of the many disadvantages of inflation is said to be its ability to bend social institutions to a breaking point. In Australia the conciliation and arbitration system is an institution very much at risk in an inflationary time. If the Commission can do nothing about prices and over-award wage bargaining then what is its future?

The answer to that question may be close. The Builders Labourers have expressed their intention to go outside the Commission and this sentiment was delivered in formal conciliation proceedings. If that union acts on its intentions then the end of indexation may be in sight. In addition, of course, inflation breeds middle-class militancy. It is no surprise to find that challenges to traditional methods of wage fixing and dispute settling are coming from groups other than the unions long viewed as militant. On one day in June a reading of one newspaper revealed that all banks in Melbourne would be closed by a bank-officers' strike, that toll-collectors on the Sydney harbour bridge were seeking wage increases beyond the guidelines, that teachers were on strike in several States, and that all internal air travel was about to be halted by two separate disputes involving pilots and other skilled workers. Librarians have been on strike again in Sydney, policemen worked to rule recently in Victoria and so the list goes on. What it serves to do is to reinforce the proposition that the challenge to conciliation and arbitration, and possibly to the Commission, will come from the new militants.

The phenomenon of white-collar militancy is easily recognised in the Australian industrial relations environment. The surprising thing is not that it is now upon us but that it has taken so long to arrive. ⊙