

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 under the Trade Union Acts in force in the various States are not 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. 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 or a State 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. In Victoria, only seven unions of employees are registered, and in South Australia sixteen unions were registered at the end of 1916. Particulars relating to membership and financial position of many of these unions were not furnished. It will be seen, therefore, that the available information is too meagre for statistical purposes.

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 3,165 members, and 119 unions of employees, with 88,075 members. Under the Industrial Disputes Act, which succeeded the Arbitration Act of 1901, it was not necessary to furnish this information. Since the Act of 1908, industrial organisation proceeded rapidly, owing to a 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 27th April, 1920, there were 119 industrial unions of employers, and 162 industrial unions of employees on the register. Registration had been granted to 5 of the 162 employees' unions subject to amendment of rules. In the Queensland Industrial Arbitration Act of 1916 provision is made for the registration of any industrial association or trade union of employees. The Act does not provide for the registration of employers' associations. On the 30th June, 1917, 50 unions of employees were registered. The number of registered industrial unions increased to 62 at the 31st December, 1917, 64 at the end of May, 1918, and to 70 at the 31st December, 1919. In Western Australia, the employers' unions numbered 45, with 441 members, in 1904; and 52, with 810 members, in 1917. 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; and in 1917, 137 unions, with 26,359 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; and 10, with 3,760 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, 1919, there were 6 organisations of employers, with 5,733 members, and 109 organisations of employees, with 462,822 members on the register.

4. **Types of Trade Unions in Australia.**—The 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 *interstate*, 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) issued by this Bureau.

5. **Total Number of Unions, 1919.**—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 1919 :—

TRADE UNIONS, BRANCH UNIONS, AND MEMBERS, STATES, NORTHERN TERRITORY, AND COMMONWEALTH, 1919.

State or Territory.	Number of Separate Unions.	Number of Branches.	Number of Members.
New South Wales	211	748	255,899
Victoria	160	411	164,583
Queensland	106	338	97,378
South Australia	101	134	56,879
Western Australia	112	161	38,169
Tasmania	77	76	13,556
Northern Territory	4	..	1,221
Total	771	1,868	627,685
Commonwealth*	394†	2,245†	627,685

* 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 next page).

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 and 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 394 distinct organisations and interstate groups of organisations in the Commonwealth, having 2,245 State branches and sub-branches, and a total of 627,685 members.

6. Number and Membership of Unions in the Commonwealth in Industrial Groups, at the end of the years 1912 to 1919.—The following table shews the number of unions and members thereof in the Commonwealth at the end of the years 1912 to 1919. The number of unions specified 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.

NUMBER AND MEMBERSHIP OF UNIONS IN THE COMMONWEALTH IN INDUSTRIAL GROUPS, AT THE END OF THE YEARS 1912 TO 1919.

Industrial Groups.	1912.	1913.	1914.	1915.	1916.	1917.	1918.	1919.
NUMBER OF UNIONS.								
I. Wood, Furniture, etc. ..	24	20	20	20	20	19	20	20
II. Engineering, Metal Works, etc.	71	79	76	77	76	75	77	77
III. Food, Drink, Tobacco, etc. . .	70	72	70	72	69	74	80	77
IV. Clothing, Hats, Boots, etc. . .	33	32	30	31	28	26	28	27
V. Books, Printing, etc.	30	31	29	30	29	29	30	29
VI. Other Manufacturing	80	79	80	78	78	84	84	84
VII. Building	60	64	67	63	63	60	58	57
VIII. Mining, Quarries, etc.	28	26	27	27	26	25	26	20
IX. Railway and Tramway Services	25	35	32	31	28	34	40	43
X. Other Land Transport	19	28	25	24	23	22	23	23
XI. Shipping, etc.	41	62	63	66	65	73	72	71
XII. Pastoral, Agricultural, etc. . .	14	14	11	12	10	10	9	8
XIII. Domestic, Hotels, etc.	27	25	22	20	22	19	20	20
XIV. Miscellaneous	99	143	160	162	168	197	200	215
Total	621	710	712	713	705	747	767	771

NUMBER OF MEMBERS.

I. Wood, Furniture, etc. ..	18,569	19,913	19,071	16,172	14,762	16,365	18,953	21,156
II. Engineering, Metal Works, etc.	29,953	39,145	42,108	47,104	49,230	47,023	47,135	49,043
III. Food, Drink, Tobacco, etc. . .	28,132	33,372	39,763	38,504	41,515	41,229	40,953	46,569
IV. Clothing, Hats, Boots, etc. . .	16,691	18,217	17,593	21,885	25,962	29,150	31,856	38,620
V. Books, Printing, etc.	8,214	9,318	9,821	10,784	11,079	11,401	11,972	13,259
VI. Other Manufacturing	24,838	27,010	29,002	30,648	32,119	30,017	30,673	34,901
VII. Building	25,609	31,544	36,593	37,739	36,255	34,772	35,761	37,301
VIII. Mines Quarries, etc.	39,203	40,449	39,733	33,024	33,515	34,029	35,519	40,278
IX. Railway and Tramway Services	56,005	66,323	71,260	76,482	75,896	79,520	74,313	83,183
X. Other Land Transport	14,550	18,369	17,687	17,208	15,719	14,728	14,487	15,905
XI. Shipping, etc.	35,000	40,913	44,536	42,903	45,868	51,746	50,433	48,598
XII. Pastoral, Agricultural, etc. . .	52,180	51,696	44,593	38,334	37,679	40,735	44,176	46,794
XIII. Domestic, Hotels, etc.	14,289	13,416	11,135	9,269	9,907	10,163	11,169	14,702
XIV. Miscellaneous	69,991	88,240	100,376	107,975	117,050	123,309	133,855	137,378
Total	433,224	497,925	523,271	528,031	546,556	564,187	581,755	627,685

Particulars are given in Labour Report No. 10 (pp. 13-15) of the number of male and female members of unions and the percentage of such members on the total number of adult wage earners. Other tables in the same Report shew the classification of unions according to number of members and the number of central labour organisations. Information is also given below as to the development of trade unionism since 1901.

7. Development of Trade Unions in Australia, 1901 to 1919.—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,
1901 TO 1919.**

Particulars.	1901.	1906.	1911.	1912.	1914.	1915.	1916.	1917.	1918.	1919.
Total number of unions ..	108	302	573	621	712	713	705	747	767	771
Number of unions for which membership available ..	139	253	542	621	712	713	705	747	767	771
Membership of these unions ..	68,218	147,049	344,999	433,224	523,271	528,031	546,556	564,187	581,755	627,685
Estimated total membership of all unions ..	97,174	175,529	364,732	..	..	..	..	..	..	..

NOTE.—Particulars for 1907, 1908, 1909, 1910, and 1913 are given in Labour Report No. 2, p. 13.

These figures shew that while the number of unions in 1919 was more than double the number in 1906, the estimated membership during the same period increased nearly fourfold. 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 4,760.

8. Interstate or Federated Unions, 1919.—The following table gives particulars as to the number and membership of interstate or federated unions in 1919 :—

**NUMBER AND MEMBERSHIP OF INTERSTATE OR FEDERATED UNIONS IN THE
COMMONWEALTH, 1919.**

Particulars.	Unions Operating in—					Total.
	2 States.	3 States.	4 States.	5 States.	6 States.*	
Number of Unions ..	16	14	12	17	36	95
Number of Members ..	19,323	43,643	51,882	106,430	276,652	497,930

* Four 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 95 out of the 394 separate associations and groups of associations in the Commonwealth are organised on an interstate basis. The membership of these 95 unions amounts to 497,930, or no less than 79.3 per cent. of the total membership (627,685) 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 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 1919 :—

CENTRAL LABOUR ORGANISATIONS.—NUMBER, AND UNIONS AFFILIATED, 1919.

Particulars.	N.S.W.	Victoria.	Q'land.	S. Aust.	W. Aust.	Tasmania.	C'wealth.
Number of Councils	3	5	4	3	10	1	26
Number of Unions and Branch Unions affiliated	127	175	50	76	168	19	615

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 1919 in the several States of the Commonwealth, which, more or less directly, affect the general conditions of labour, are shewn in the tables on pages 991–2 of Year Book No. 11. The following additions have been made to the Statutes in force therein: in New South Wales an amendment to the Industrial Arbitration Act in 1919; and in 1918 to the Queensland Workers' Compensation Act.

2. **Provisions and Administration of the Acts.**—For information regarding the benefits sought, 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, 1918.

State.	Number of Registered Factories.	Numbers Employed.		
		Males.	Females.	Total.
New South Wales	8,346	74,719	31,246	105,965
Victoria	7,994	65,802	38,440	104,242
Queensland*	2,639	21,014	7,939	28,953
South Australia	1,814	13,039	5,527	18,566
Western Australia	1,160	8,601	3,007	11,608
Tasmania†	975	6,553	1,542	8,095
Commonwealth	22,928	189,728	87,701	277,429

* At 31st March.

† At 30th June.

FACTORIES REGISTERED UNDER ACTS, 31st DECEMBER, 1919.

State.	Number of Registered Factories.	Numbers Employed.		
		Males.	Females.	Total.
New South Wales‡	8,346	74,719	31,246	105,965
Victoria	8,221	75,994	40,379	116,373
Queensland *	3,180	21,980	7,847	29,827
South Australia	1,833	14,512	6,026	20,538
Western Australia‡	1,160	8,601	3,007	11,608
Tasmania†	963	7,048	1,513	8,561
Commonwealth	23,703	202,854	90,018	292,872

* At 31st March. † At 30th June. ‡ Particulars for 1918. Figures for 1919 not available.

4. Comparative Statement of Factories Law in Australia.—The tables on pp. 994 to 999 of Year Book No. 11 shew at a glance the chief provisions of the Factories and Shops Acts in the Commonwealth. Amendments to the Early Closing Act of New South Wales, in which special provisions for the closing of hairdressers, tobacconists, and chemists' shops were made, and to the Victorian Factories and Shops Act which altered the hour of closing shops on Friday nights from 10 to 9 o'clock were passed in 1919.

5. Mining Acts.—Under the Mining Acts 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 braceman at plats and landing places; no lander, braceman, 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. Engine drivers 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. Employers' 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 below :—

CONSPECTUS OF WORKMEN'S

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.	SOUTH AUSTRALIA.
<i>Name of Act</i> ..	Workmen's Compensation Act 1916	Workmen's Compensation Act 1915	The Workers' Compensation Act 1916 and 1918.	The Workmen's Compensation Act 1911, 1918, and 1919
<i>Definition of Employer</i>	Includes any body of persons, corporate or incorporate, and the legal representative of a deceased employer.	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>	Any person who is under contract of service or apprenticeship, whether by way of manual labour, clerical work or otherwise.	Manual workers. Other workers with incomes up to £250.	Any person (including a domestic servant) who works under a contract of service or apprenticeship, whether by way of manual labour, clerical work or otherwise, including tributers in mines and jockeys.	Manual only, with incomes up to £5 a week.
<i>Workers expressly excluded.</i>	Casuals, persons whose remuneration exceeds £312 per annum.	Workers other than manual earning over £250. Police, outworkers, members of employer's family.	Persons earning over £400. Casuals, police, subscribers to superannuation fund, members of employer's family, salesmen, canvassers, collectors, or persons in receipt of commission.	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.
<i>Employer not liable to pay compensation for</i>	Injury disabling for less than one week.	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>	£200.	£200.	Insurance compulsory in State Accident Insurance Fund.	£100.
<i>Compensation in case of Death.</i> If dependents left ..	3 years' earnings, or £300, whichever larger; maximum, £500.	3 years' earnings, or £200, whichever is the larger; maximum, £500.	3 years' earnings, or £300, whichever larger; maximum, £600.	4 years' earnings, or £200, whichever larger; maximum, £300.
If no dependents, maximum amount for medical attendance and funeral expenses.	£20.	£50.	£50.	£20.
<i>Compensation in case of Incapacity.</i> Weekly payment ..	Half average weekly earnings; maximum, £2.	Half average weekly earnings; maximum, 30s.	Half average weekly earnings; maximum, £2, minimum, £1.	Half average weekly earnings; maximum, single man 30s., married man £2.
Maximum total liability ..	£750.	£500.	£750	£500.
<i>Compensation for Workers over 60 years of age who have entered into an agreement.</i> Death, with dependents—Minimum ..	..	£50.	..	£50.
Incapacity—Minimum weekly payment ..	..	5s., or quarter of weekly earnings, whichever larger.	..	5s.
Maximum total liability ..	..	£50.	..	£50.

COMPENSATION ACTS IN AUSTRALIA.

WESTERN AUSTRALIA.	TASMANIA.	COMMONWEALTH. (Employees.)	COMMONWEALTH. (Seamen.)
Workers' Compensation Act 1912.	The Workers' Compensation Act 1918.	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.	Work under contract of service or apprenticeship by way of manual labour, clerical work, or otherwise, on land or water.	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, outworkers, police force, domestic servants under 18 years and not working 8 hours per day, and persons whose weekly earnings do not exceed £4.	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.
Same as South Australia.	Injury incapacitating for less than three days.	..	Same as South Australia.
£150.	£100.	..	Full amount.
3 years' earnings, or £300, whichever larger; maximum, £400.	3 years' earnings, or £200, whichever larger; maximum, £400.	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.	Half average weekly earnings; maximum, £2, minimum, £1.	Half average weekly earnings; maximum, £2.	Half average weekly earnings; maximum, 30s.
£400.	£500.	..	..
£100.	£100.	..	(If seamen entitled to Commonwealth Old-age pension, amount of compensation and pension together not to exceed 30s. weekly.) ..
10s.	20s.	..	..
£100.	£100.	..	..

CONSPICUOUS OF WORKMEN'S

HEADING.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.	SOUTH AUSTRALIA.
<i>Compensation for in-firm workers who have entered into an agreement.</i>				
Death, Minimum payment .. ..	.. ..	£50.	.. ..	£50.
Incapacity—Minimum weekly payment .. ..	.. ..	5s., or quarter of weekly earnings, whichever larger.	.. ..	5s.
Maximum total liability .. ..	.. ..	£50.	.. ..	£50.
<i>Compensation for workers under 21 years of age earning less than 20s. weekly.</i>				
Weekly payment	Average weekly earnings; maximum, 15s.	Average weekly earnings; maximum, 10s.	.. ..	Average weekly earnings; maximum, 10s.
<i>Waiting time</i>	None.	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 two weeks.
<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>	Committee representative of employer and his workmen, if existing, or arbitration, or Judge of District Court.	Judge of County Court or Police Magistrate.	Insurance Commissioner, Industrial Magistrate, 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>	If permanent incapacity likely, quarterly substituted for weekly payments in case of worker ceasing to reside in the State.	Same as South Australia.	If permanent incapacity proved, 156 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.

COMPENSATION ACTS IN AUSTRALIA—*continued.*

WESTERN AUSTRALIA.	TASMANIA.	COMMONWEALTH. (Employees).	COMMONWEALTH. (Seamen).
£100.	£50, or 39 times average weekly earnings, whichever larger.	..	..
10s.	10s., or quarter of weekly earnings, whichever larger.	..	..
£100.	£100.	..	..
Average weekly earnings; maximum, 20s.	Average weekly earnings, maximum, £1.	Same as New South Wales.	Same as New South Wales.
Same as South Australia.	None.	None.	One week. No compensation for first week unless incapacity lasts two weeks.
Six months.	Two months.	Six months.	Six months.
Local Court.	Commissioner (under Local Courts Act 1896) in Court of Requests.	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.

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, and in the Reports issued by the Labour and Industrial Branch of this Bureau. 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 accordance with the provisions of the Acts in New South Wales and Queensland, the Industrial Courts in these States have been exercising the functions of Boards, and the work of the existing Boards has been greatly curtailed. Practically all the awards in these States during the last two years have been made by the Industrial Courts. 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. The Industrial Arbitration (Amendment) Act, assented to on 22nd March, 1918, amends the law for the regulation of the conditions of industries and industrial arbitration. The Act provides for the establishment of a Board of Trade and of special and deputy Courts of Industrial Arbitration, and also for the appointment of Industrial Boards on the recommendation of the Court. 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.

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

TRIBUNALS FOR THE REGULATION OF

<i>Particulars.</i>	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.
<i>Name of Acts</i>	Industrial Arbitration Acts 1912, 1916, 1918, 1919	Factories and Shops Act 1915 and 1919	Industrial Arbitration Act 1916
<i>Nature of Tribunals</i>	Court of Industrial Arbitration. Industrial Boards. Board of Trade	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. Board of Trade constituted by Act	Court constituted by Act. Wages Boards by Governor-in-Council on resolution of Parliament	Industrial Court constituted by the Act. Industrial Boards by Minister 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. Board of Trade declarations re living wage, apprenticeship, etc.	To any process, trade, business, or occupation specified in a resolution. Government servants are not included*	To all callings and all persons (including Government servants) except (1) State children; (2) domestic servants; (3) persons engaged in farming operations on dairy, fruit and agricultural farms
<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	Upon reference by an industrial union or employer, or any twenty employees in any calling, or the Minister, or of the Court

* "The Railways Classification Board Act" 1919 provides for a special tribunal to regulate wages and hours of employment of railway employees.

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 992 to 995 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.

Under the authority of the Commonwealth Government a War Precautions Coal Board appointed in November, 1916, to regulate wages, working conditions and other matters in the coal mining industry issued "Orders" during 1916 and 1918, but was inactive during 1917. A special tribunal to deal with the coal mining industry was appointed by the Industrial Peace Act of 1920.

WAGES IN TRADES IN AUSTRALIA, 1919.

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 1917	Conciliation and Arbitration Act 1904-18. 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

* In 1919 the Government constituted a Government Workers' Tribunal to enquire into and report upon claims affecting wages and conditions of employment presented to the Government or any Minister or Department, or the South Australian Railways Commissioner.

TRIBUNALS FOR THE REGULATION OF

Particulars.	NEW SOUTH WALES.	VICTORIA.	QUEENSLAND.
<i>President or Chairman of Tribunal</i>	Industrial Boards—Appointed by Minister on recommendation of Court. Board of Trade—Appointed by the Governor-in-Council	Appointed by Governor-in-Council on nomination of Board, or failing that on nomination by Minister	Appointed by Board, or failing such, by the Minister
<i>Number of Members of Tribunal</i>	Industrial Boards—Chairman and 2 or 4 other members. Board of Trade—President, Deputy-President, 4 commissioners and 1 or more for rural industries	Not exceeding 11 (including chairman)	Industrial Court, not exceeding 3, including president. Industrial Boards, 2 or 4 in addition to chairman
<i>How ordinary members are appointed</i>	Industrial Boards—Appointed by Minister on recommendation of Industrial Court. Board of Trade—By Governor-in-Council	Nominated by Minister. But if one-fifth of employers or employees object, representatives are elected by them	Members of Industrial Court by Governor-in-Council. Members of Industrial Boards by Minister on nomination by employers and employees respectively, and on the recommendation of the Court
<i>Decisions—how enforced</i>	By Registrar and Industrial Magistrate	By Factories Department in Courts of Petty Sessions before Police Magistrates	By Industrial Court on application of any party to the award or agreement, or of Registrar, or Industrial Inspector
<i>Duration of decision</i>	For period fixed by Tribunal, but not more than 3 years, and after such period until varied or rescinded	Until altered by Board or Court of Industrial Appeals	12 months and thereafter, unless sooner rescinded or varied
<i>Appeal against decision</i>	To Industrial Court against decision of Boards	To the Court of Industrial Appeals	To Industrial Court against decision of Boards. Case may be stated for opinion of Full Bench
<i>Is 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, if Court so orders
<i>Can Preference to Unionists be declared?</i>	Yes	No	Yes
<i>Provision against strikes and lock-outs</i>	Fourteen days' notice of intention must be given. Secret ballot, two-thirds of members must vote. Penalty for illegal strike, £500; for lock-out, £1,000	Determination may be suspended by Governor-in-Council for any period not exceeding 12 months	Provision made for taking ballot; majority must vote in favour of strike or lock-out. Penalties for strikes or lock-outs, employer or industrial union, £100; other cases, £10
<i>Special provisions for Conciliation</i>	Special Commissioner. Conciliation Committees for colliery and other districts. Registered agreements	None	Compulsory Conference. Registered agreements

WAGES IN TRADES IN AUSTRALIA, 1919—*continued.*

SOUTH AUSTRALIA.	WESTERN AUSTRALIA.	TASMANIA.	COMMONWEALTH.
Court — President. Wages Board, appointed by Governor on nomination of Board, or falling nomination, a Stipendiary Magistrate	A Judge of the Supreme Court	A Police Magistrate appointed by the Governor	President
Court — President. Provision made for appointment of Deputy-President. Wages Board, not less than 5 nor more than 11 (inclusive of chairman)	Three, including President	Chairman, and not less than 4 nor more than 10	President. Provision is made for appointment of Deputy-President
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. Deputy-President appointed by Governor-General from Justices of High Court or Judges of Supreme Court of a State
By Factories Department	By Arbitration Court on complaint of any party to the award or Registrar or an Industrial Inspector	By Chief Inspector under Factories Act with consent of the Minister	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, £1,000
Compulsory Conference. Registered agreements	Compulsory Conference. Registered agreements	None	Compulsory Conference. Court may temporarily refer to Conciliation Committee. Registered agreements

§ 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, hours, and conditions of labour, shewing the number of boards authorised and constituted, 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.*

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 30th June, 1917, and thereafter in the Quarterly Summaries to the 31st December, 1919. Information has also been compiled and included in the later issues of the Labour Bulletin and Quarterly Summary respecting the estimated number of work-people 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 1918 and 1919 respectively:—

AWARDS AND DETERMINATIONS MADE AND INDUSTRIAL AGREEMENTS FILED IN EACH QUARTER OF 1918 AND 1919.

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.
1918.										
New South Wales	18	8	25	5	21	14	33	12	97	39
Victoria	13	..	12	..	20	..	31	..	76	..
Queensland	9	12	35	24	26	19	55	6	125	61
South Australia	3	2	2	5	7	2	17	1	29	10
Western Australia	4	7	1	3	3	9	1	7	9	26
Tasmania	2	..	3	..	6	..	4	..	15	..
Commonwealth	3	5	5	6	4	151†	10	51‡	22	213
Total	52	34	83	43	87	195	151	77	373	349
1919.										
New South Wales	20	10	35	12	32	10	45	16	132	48
Victoria	21	..	17	..	13	..	18	..	69	..
Queensland	18	5	22	4	28	7	59	13	127	29
South Australia	9	2	8	2	19	2	15	2	51	8
Western Australia	..	3	3	7	1	16	2	11	6	37
Tasmania	6	..	4	..	5	..	6	..	21	..
Commonwealth	3	13	2	3	6	44§	10	100||	21	160
Total	77	33	91	28	104	79	155	142	427	282

* Information as to the main provisions of the various Acts in force is given on pp. 992-995.
 † Including 140 separate agreements made between the Federated Engine-Drivers and Firemen's Association and various employers. ‡ Including 37 separate agreements made between the Federated Coopers' Association and various employers. § Including 29 separate agreements made between the Federated Engine-Drivers and Firemen's Association and various employers. || Including 68 separate agreements made between the Federated Engine-Drivers and Firemen's Association and various employers.

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. During the second quarter of 1915 these restrictions 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 this activity continued during the years 1916, 1917, 1918, and 1919. The number of awards and determinations (427) made by the Commonwealth Conciliation and Arbitration Court, the State Industrial Courts and Wages Boards, during the year 1919, was higher than the number made during the previous twelve months, when 373 awards and determinations were issued. The number of industrial agreements entered into during 1919 was 282, as compared with 349 during the year 1918. The number of awards issued by the Commonwealth Conciliation and Arbitration Court was 21, as compared with 22 during the previous year. The number of industrial agreements filed under the provisions of the Commonwealth Act shewed a decrease in comparison with the number filed during the previous year, the number filed during 1919 being 160, as against 213 during the year 1918.

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 and constituted, 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 during the four quarters of 1919 :—

PARTICULARS OF BOARDS AND OF AWARDS, DETERMINATIONS, AND INDUSTRIAL AGREEMENTS IN FORCE AT 31st DECEMBER, 1913 AND DURING EACH QUARTER OF 1919.

Dates.	Boards Authorised.	Boards Constituted.	Boards which had made Awards or Determinations.	Awards or Determinations in Force.*	Industrial Agreements in Force.
31st December, 1913	504	501	387†	575‡	401
31st March, 1919	488	483	453	888	848
30th June, 1919	489	484	456	915	845
30th September, 1919	492	485	463	932	739
31st December, 1919	505	498	465	942	843

* Including awards made by Arbitration Courts. † Owing to a number of awards made under the New South Wales 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. ‡ Excluding awards or determinations which expired in New South Wales (under the Act of 1908) on 31st December, 1913.

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 six years ending 31st December, 1919. At the end of 1919, 367 additional awards or determinations were in force in the Commonwealth. The number of industrial agreements (a) made and in force under the various Acts increased during the six years under review by 442.

(a) 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.

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In the following table particulars are given for each State and the Commonwealth of the number of Boards authorised, etc., at the 31st December of the years 1913 and 1919 :—

BOARDS AUTHORISED AND CONSTITUTED, AWARDS, DETERMINATIONS AND AGREEMENTS IN FORCE AT 31st DECEMBER IN 1913 AND 1919.

Particulars.	At 31st Dec.	C'wth.	N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	Total.
<i>Boards Authorised, etc.*—</i>									
Boards authorised ..	{ 1913 ..	..	216†	135	75	56	..	23	505
	{ 1919 ..	..	241	158	28	58	..	46	505
Boards constituted ..	{ 1913 ..	..	223†	132†	74	51	..	21	501
	{ 1919 ..	..	241	154	28	56	..	45	498
Boards which have made Awards or Determinations	{ 1913 ..	..	123	123	74	47	..	19	386
	{ 1919 ..	..	226	147	28	53	..	37	465
<i>Awards and Determinations—</i>									
Awards and Determinations in force ..	{ 1913 ..	17	265||	127	73	54	18	21	575
	{ 1919 ..	96	316	151	206	88	48	37	942
<i>State Awards and Determinations—</i>									
Applying to whole State	{ 1913 ..	..	32	8	3	..	..	15	58
	{ 1919 ..	..	23	19	30	..	5	36	113
Applying to Metropolitan area	{ 1913 ..	..	58	..	28	53	13	1	153
	{ 1919 ..	..	94	1	54	70	30	..	249
Applying to Metropolitan and Country areas	{ 1913 ..	..	49	105	1	..	1	5	161
	{ 1919 ..	..	120	121	40	5	2	1	289
Applying to Country areas	{ 1913 ..	..	126	14	41	1	4	..	186
	{ 1919 ..	..	79	10	82	13	11	..	195
<i>Commonwealth Awards—</i>									
Awards in force in each State ..	{ 1913 ..	..	13	17	15	16	9	13	..
	{ 1919 ..	..	71	70	49	63	44	56	..
<i>Industrial Agreements—</i>									
In force ..	{ 1913 ..	228	75	..	5	11	82	..	401
	{ 1919 ..	570	89	..	65	28	91	..	843
Commonwealth Agreements in force in each State ..	{ 1913 ..	..	132	129	68	62	57	61	..
	{ 1919 ..	..	141	282	58	56	26	91	..
Number of Persons working under State Awards and Determinations (estimated) ..	1919 ..	..	275,000	150,000	90,000	27,000	35,000	15,000	592,000

* The figures for New South Wales are exclusive of Demarcation Boards. † Including Boards which were subsequently dissolved, owing to alteration in the sectional arrangement of industries and callings. ‡ Including one Board subsequently superseded by three Boards. § In pursuance of the provisions of the Industrial Arbitration Act of 1916, all Industrial Boards appointed under the Industrial Peace Act of 1912 were dissolved on the 12th January, 1917, with the exception of those Boards which had matters pending or partly heard. At the 31st December, 1917, these Boards had also been dissolved. The work of the Boards appointed under the old Act is being undertaken by a Court of Arbitration constituted under the new Act. || Omitting a number of awards which expired on the 31st December, 1913.

Particulars for the intervening years 1914 to 1918 inclusive will be found in Year-Book No. 12, pp. 997-8.