

**SECTION XVII.—THE COMMONWEALTH CONCILIATION
RECORD OF COURT OPERATIONS UNDER THE COMMON-
FOR THE QUARTER**

I.—COURT

(i.) COMPULSORY CONFERENCES

PARTIES TO CONFERENCE.		PROCEDURES.	INDUSTRY AND LOCALITY AFFECTED.
Employees.	Employers.		
Radio-Telegraphists' (Marine) Institute of Australasia.	Amalgamated Wireless (Australasia Limited).	Application for Compulsory Conference made by Employees.	Marine Telegraphy on Coast of Australia.
Federated Engine-drivers' and Firemen's Association of Australasia.	Colonial Sugar Refining Co. Ltd. and Others.	Do.	Land Engine-driving in Australia.
Australian Saddlery and Leather Workers Trades Employees' Federation	J. J. Weekes and Others.	Do.	Saddlery and Leather Industry in Australia.
Musicians' Union of Australia.	J. C. Williamson Ltd. and Others.	Do.	Theatrical and Picture Show Industry in Australia.
Australian Workers' Union.	Pastoralists' Federal Council of Australia and Others.	Do.	Shearing Industry in Queensland, N.S.W., and Victoria.
Federated Masters' and Engineers' Association of Australasia.	Gem Navigation Co. and Another.	Do.	Shipping Industry on Murray River and Tributaries.
Federated Millers' and Mill Employees' Association of Australia.	New South Wales Industrial Milling Defence Co. and Others.	Do.	Milling Industry in Australia.
Federated Carters' and Drivers' Union of Australia.	L. Arthur and Others.	Do.	Carting and Driving Industry in Australia.
Federated Engine-drivers' and Firemen's Association of Australasia.	Colonial Sugar Refining Co. Ltd. and Others.	Do.	Land Engine-driving in Australia.
Australian Tramway Employees' Association.	Prahran and Malvern Tramway Trust and Others.	Do.	Tramway Industry in Victoria, Tasmania and Western Australia.

* The President may, whenever in his opinion it is desirable for the purpose of preventing or settling a compulsory Conference presided over by himself.

† A resumé of the main provisions of the Commonwealth Conciliation and Arbitration Acts, 1904-11.

AND ARBITRATION ACTS 1904-1915.†

WEALTH CONCILIATION AND ARBITRATION ACT 1904-1915
ENDED 31st DECEMBER, 1916.

PROCEEDINGS.

SUMMONED UNDER SECTION 16 (a).*

NATURE OF DISPUTE.	DATES OF HEARING.	RESULT.
<i>Re</i> Log of Wages and Conditions of Employment.	Melbourne, 1916, Oct. 7th.	Dispute referred into Court under Sec. 19 (d) of Act. Agreement probable in all matters except wages.
Do.	Melbourne, 1916, Oct. 23rd, 24th.	No Agreement arrived at. Dispute referred into Court under Sec. 19 (d) of Act.
<i>Re</i> Log of Wages and Conditions of Employment set out in <i>Plaint</i> No. 32 of 1916.	Melbourne, 1916, Oct. 31st, and Nov. 2nd.	Compulsory Conference held in respect to <i>Plaint</i> No. 32 of 1916. Basis of Agreement arrived at. Parties to draw up agreement and submit it to Court for certification.
<i>Re</i> Log of Wages and Conditions of Employment.	Melbourne, 1916, Nov. 3rd and 4th.	No Agreement arrived at. Dispute referred into Court under Sec. 19 (d) of Act.
Do.	Melbourne, 1916, Nov. 27th, 29th and 30th.	Temporary Agreement arrived at until Arbitration. Dispute referred into Court under Sec. 19 (d) of Act.
Do.	Melbourne, 1916, Nov. 30th and Dec. 1st.	Agreement lasting till 6 months after War arrived at. Dispute referred into Court under Sec. 19 (d) of the Act.
Do.	Melbourne, 1916, Dec. 11th.	No Agreement arrived at. Dispute referred into Court under Sec. 19 (d) of Act.
<i>Re</i> Log of Wages and Conditions of Employment set out in <i>Plaint</i> No. 31 of 1916.	Melbourne, 1916, Dec. 12th, 13th.	Compulsory Conference in respect to <i>Plaint</i> No. 31 of 1916. Parties agreed to hold Conferences in separate States during January, and if settlement can be arrived at, the Agreement will be filed in Court.
<i>Re</i> Log of Wages and Conditions of Employment.	Melbourne, 1916, Dec. 15th.	No Agreement arrived at and Dispute referred into Court under Sec. 19 (d) of Act.
<i>Re</i> Log of Wages and Conditions of Employment set out in <i>Plaint</i> No. 63 of 1916.	Melbourne, 1916, Dec. 19th, 21st.	No Agreement arrived at, and Dispute referred into Court under Sec. 19 (d) of the Act. Prahran and Malvern, Hawthorn, and Brunswick and Coburg undertake to make any Award retrospective to 1st Jan., 1917. No undertaking was given by other companies.

Industrial Dispute, summon any person to attend, at a time and place specified in the summons, at a and the Arbitration (Public Service) Act, 1911, was given in Labour Bulletin, No. 5, pages 53 to 59.

(ii.) CASES

CLAIMANT.	RESPONDENT.	DATES OF FILING OR REFERENCE.	INDUSTRY & LOCALITY AFFECTED.
William Angliss & Co. Pty. Ltd. and Others.	Australasian Meat Industry Employees' Union.	Referred into Court on 18th Sept., 1913.	Meat Industry in Victoria and South Australia.
Australasian Meat Industry Employees' Union.	Wm. Angliss & Co. Pty Ltd. and Others.	Filed 7th May, 1914.	
Australasian Institute of Marine Engineers.	Burns, Philp & Co. Ltd. and Another.	Referred into Court on 29th Sept., 1916.	Shipping Industry between East Coast of Australia and Singapore and Ocean Island.
Federated Storemen and Packers' Union of Australia.	Commonwealth of Australia.	Referred into Court on 3rd June, 1916.	Storing and Packing Industry in Public Service of the Commonwealth.
Federated Storemen and Packers' Union of Australia.	Skin and Hide Merchants' Association of Brisbane and Others.	Referred into Court on Dec. 3rd., 1915.	Storing and Packing Industry in Skin, Hide, and Wool Stores.
Federated Mining Employees' Association of Australia	Yerranderie Silver Mining Co. No. Liability and Others.	Referred into Court on 18th August, 1916, under sec. 19 (d)	Mining Industry in New South Wales and Tasmania.
Federated Marine Stewards and Pantrymen's Association of Australasia.	Commonwealth Steamship Owners' Association and Others.	Filed on 24th August, 1915.	Shipping Industry in Australia.
Merchant Service Guild of Australasia.	Commonwealth of Australia (Department of the Navy).	Dispute referred into Court on 20th Nov., 1916, under Sec. 19 (d) of Act.	Shipping Industry in Navy Department in Australian waters.

HEARD.

NATURE OF CLAIM.	DATES OF HEARING.	RESULT.
Claim in respect to Rates of Pay, Hours of Labour, Holidays, Terms and Conditions of Employment and Preference to Unionists.	Adelaide, 1916, Aug. 14, 15, 16, 17, 18, & 19. Melbourne, 1915, Dec. 8 and 13. 1916, June 8, 12, 13, 14, and 22. July 24, 25, 26, 27, and 31. Aug. 1, 2, 3, 4, 7, 8, 9, 10, 11, 21, 22, 23, 24, 25, 28, 29, 30, 31. Sept. 20 and 28; Oct. 12, 13, 16, and 17.	Final Award made by Mr. Justice Higgins on 17th October, 1916.
Claim in respect to Wages, Manning Scale, Hours of Duty, Overtime Rates, Victualling Allowance Ship-keeping, Annual Holidays, Rates on Sundays, and Holidays, and other Conditions of Employment.	Melbourne, 1916, Oct. 24, 25, 28 and 30, and Nov. 3.	His Honour, Mr. Justice Higgins, ordered that Award be in terms of Agreements drawn up by parties.
Claim in respect of Wages, Hours of Overtime, Meal Hours and Period of Engagement.	Brisbane, 1916, Aug. 1. Melb., 1916, Sept. 20 and 28. Oct. 13 and Nov. 17.	His Honour, Mr. Justice Powers, found he had no jurisdiction, and did not make a Final Award.
Claim in respect to Hours, Rates of Pay, Engagements, Meal Hours, Smoke-ohs, and other Conditions of Labour.	Adelaide, 1916, Oct. 16, 17, 18, and 19. Melb., 1916, Aug. 29, 30, and 31; Sept. 25 & 29; Oct. 27, 30, and 31; Nov. 1, 3, 4, 17, 24, & 25, and Dec. 1.	Final Award made by Mr. Justice Powers on 1st Dec., 1916.
Claim in respect to Log of Wages and Conditions of Labour.	Sydney, 1916, Sept. 27, 28 and 29. Launceston, 1916, Oct. 11, 12, 13. Melbourne, 1916, Nov. 6, 10, 17; Dec. 15, 19.	Final Award made by Mr. Justice Powers on 19th Dec., 1916.
Claim in respect to Wages, Holidays, Classification and Definition of Work Payment for Sundays and Holidays and other Conditions of Labour.	Melbourne, 1916, Oct. 17, 18, 19, & 30; Nov. 10, 13, & 14; and Dec. 19.	Parties executed Agreements which were certified to and filed on 19th Dec., 1916.
Claims in respect to Wages, Hours, Overtime and other Conditions of Employment.	Melbourne, 1916, Nov. 20, 21, and 25. Dec., 1, 8, 12, and 20.	Final Award made by Mr. Justice Higgins on 28th Nov., 1916.

(iii.) APPLICATION UNDER SECTION 38 (c)

APPLICANT.	IN THE MATTER OF AN AWARD IN—
Federated Artificial Manure Trade and Chemical Workers' Union.	Federated Artificial Manure Trade and Chemical Workers' Union and Guming, Smith & Co. Pty. Ltd. and Others.
Australasian Institute of Marine Engineers.	Australasian Institute of Marine Engineers and Commonwealth Steamship Owners' Association and Others.
Australian Commonwealth Post and Telegraph Officers' Association.	Australian Commonwealth Post and Telegraph Officers' Association and Public Service Commissioner and Another.
Federated Public Service Assistants' Association of Australia.	Federated Public Service Assistants' Association of Australia, and Public Service Commissioner and Others.
Australian Letter Carriers' Association.	Australian Letter Carriers' Association and Public Service Commissioner and Another.
Australian Telegraph and Telephone Construction and Maintenance Union.	Australian Telegraph and Telephone Construction and Maintenance Union and Public Service Commissioner of the Commonwealth and Another.
Waterside Workers' Federation of Australia.	Waterside Workers' Federation of Australia and Commonwealth Steamship Owners' Association and Others and also Gilchrist, Watt and Sanderson and Others, and Waterside Workers' Federation of Australia.
Merchant Service Guild of Australasia.	Merchant Service Guild of Australasia and Newcastle and Hunter River Steamship Co. Ltd. and Others.
Illawarra and South Coast Steam Navigation Co. Ltd.	Merchant Service Guild of Australasia and Newcastle and Hunter River Steamship Co. Ltd. and Others.
Federated Mining Employees' Association of Australia.	North Nuggetty Ajax Co. No Liability and Others.
Australian Postal Electricians' Union.	Australian Postal Electricians' Union and Public Service Commissioner of the Commonwealth and another.
Australian Letter Carriers' Association.	Australian Letter Carriers' Association and Public Service Commissioner of the Commonwealth and Another
Federated Mining Employees' Association of Australia.	Federated Mining Employees' Association of Australia and North Nuggetty Ajax Co. No Liability and Others.

* The Court shall, as regards every industrial dispute of which it has cognizance,

TO VARY ORDERS AND/OR AWARDS.*

NATURE OF APPLICATION.	DATES OF HEARING.	RESULT.
Application to vary Award of Court No. 10 of 1914. Agreement dated 15th Aug., 1915, and Order Varying dated 24th March, 1916.	Melbourne, 1916, October 23rd.	Award varied by consent.
Application to vary Award of Court No. 2 of 1912.	Melbourne, 1916, October 24th.	Award varied by consent.
Application to vary Award of Court No. 38 of 1914.	Melbourne, 1916. October 24th, 25th and 27th	Order made by Mr. Justice Powers varying Award on 27th October, 1916.
Application to vary Award of Court No. 15 of 1915.	Do.	Do.
Application to vary Award of Court No. 14 of 1916.	Do.	Do.
Application to vary Award of Court No. 10 of 1912.	Melbourne, 1916, Nov. 1, 2, 3, 8, 9, 10, 13, 14, 15, 21, 22, 24.	Order varying Award made by Mr. Justice Higgins on 22nd November, 1916.
Application to vary Awards of Court Nos. 1 and 14 of 1914, and Orders varying dated 18th Dec., 1915, and 23rd June, 1916, in so far as it relates to Clause IV.2a under heading "Re Duty away from Home Port, etc."	Melbourne, 1916, Nov. 23, 23, 24, 30; Dec. 1, 4.	Order made varying Award by Mr. Justice Higgins on 4th December, 1916.
Application to vary Award of Court No. 1 of 1913.	Melbourne, 1916, Nov. 16, 16, 17, 20, 21, 23; Dec. 1, 8, 12, 13, 14.	Order made varying Award by Mr. Justice Higgins on December 14th, 1916.
Do.	Do.	Do.
Application to vary Awards of Court Nos. 30 of 1915, 31 of 1915, and 13 of 1916, in so far as it concerns all respondents except the Victorian Alluvial Companies.	Melbourne, 1916, Nov. 21, 22, 23, Dec. 1, 5, 11, 12, 13, 19.	Order made varying Award by Mr. Justice Powers on 19th December, 1916.
Application to vary Award of Court No. 5 of 1912.	Melbourne, 1916, Nov. 14, 20, 21, 22, 23, 24, 27, 28, 29, 30; Dec. 1, 4, 5, 6, 7, 8, 11, 12, 15, 18, and 20.	Order made by Mr. Justice Higgins on December 20th, 1916.
Application to vary Award of Court No. 19 of 1912 owing to increased cost of living.	Melbourne, 1916, Dec. 11, 12, 18, and 21.	His Honour Mr. Justice Powers varied Award in so far as it relates to Officers over 24 years of age and married Officers over 21 years of age.
Application to vary Awards of Court Nos. 30 of 1915, 31 of 1915, and 13 of 1916, as regards Victorian Alluvial Companies.	Melbourne, 1916, Dec. 19 and 21.	His Honour Mr. Justice Powers gave judgment on 21st Dec., 1916, but postponed Final Order in face of fact that Agreement may be executed.

have power to vary its orders and awards, and to reopen any question.

(iv.) APPLICATION TO

APPLICANT.	IN THE MATTER OF AN AWARD IN—
Australian Tramway Employees' Association.	Australian Tramway Employees' Association and Municipal Tramway Trust, Adelaide.

* The Court shall, as regards every industrial dispute of which it has

(v.) APPLICATION FOR PENALTIES

APPLICANT.	RESPONDENT.	INDUSTRY AND LOCALITY AFFECTED.
Waterside Workers' Federation of Australia.	J. B. Ellerker & Co. Pty. Ltd.	Shipping Industry at Melbourne.

* No person shall wilfully make default in compliance

(vi.) APPEALS UNDER

CLAIMANT.	RESPONDENT.	INDUSTRY AND LOCALITY AFFECTED
Federated Engine-drivers' and Firemen's Association of Australasia.	Federated Masters' and Engineers' Association of Australasia.	Shipping Industry in Australasia.
Merchant Service Guild of Australasia.	Do.	Do.

* The President may review, annul, rescind, or vary any Act or

VARY AGREEMENT.*

NATURE OF APPLICATION.	DATES OF HEARING.	RESULT.
Application to vary Agreement dated 29th October, 1915.	Melbourne, 1916, Oct. 27 : Nov. 1st and 3rd.	Order made by Mr. Justice Higgins on 3rd November, 1916.

cognisance; have power to vary its orders and awards, and to reopen any question.

UNDER SECTION 49 OF ACT.*

NATURE OF APPLICATION.	DATES OF HEARING.	RESULT.
Application for Penalties for Breaches of Awards of Court Nos. 1 of 1914, and 14 of 1914, in respect of Wages Payable to McCay.	Melbourne, 1916. Nov. 22 and 23.	Respondents were fined 1s. on each of four charges, and were ordered to pay back money.

with any order or award : penalty, not exceeding Twenty Pounds.

SECTION 17 OF THE ACT.*

DATES OF HEARING.	RESULT.
Melbourne, 1916. October 26th.	Agreement arrived at. Application withdrawn.
Do.	Do.

decision of the Registrar in any manner which he thinks fit.