

Hon. Mr. McLagan

INDUSTRIAL RELATIONS

ANALYSIS

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A BILL INTITULED

AN ACT to Provide for the Improvement of Industrial Relations. **Title.**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Industrial Relations Act, 1949. **Short Title.**

2. In this Act, unless the context otherwise requires,— **Interpretation.**

“ Conciliation Commissioner ” means a Conciliation Commissioner appointed under the Industrial Conciliation and Arbitration Act, 1925:

“ Council ” means the Industrial Advisory Council appointed under this Act:

“ Minister ” means the Minister of Labour.

See Reprint of Statutes, Vol. III, p. 939

Industrial
Advisory
Council.

3. (1) The Minister may appoint an Industrial Advisory Council consisting of a Chairman appointed by the Minister and such number of representatives of employers and workers and such other persons as the Minister thinks fit.

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(2) The Minister may from time to time, on the recommendation of the Council, appoint any person or persons to be an additional member or additional members of the Council for any special purpose.

(3) Every member of the Council (including every additional member) shall hold office during the pleasure of the Minister.

Functions of
Council.

4. The functions of the Council shall be to inquire into and make reports and recommendations to the Minister on such ways and means of improving industrial relations and industrial welfare as from time to time appear to be practicable, whether suggested by the Council or referred to it by the Minister, including, in particular, such matters as incentive-payment, profit-sharing, and similar schemes, the safety and health of workers, the provision of amenities, and the establishment of Works Committees and other employer-worker organizations.

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Local and
special
Advisory
Councils.

5. (1) The Minister may from time to time appoint an Advisory Council with such name as he thinks fit for any specified industry or locality, to have in relation to that industry or locality functions similar to those of the Industrial Advisory Council.

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(2) The provisions of section *three* of this Act shall apply with respect to the constitution of every Advisory Council appointed under this section.

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(3) Every report and recommendation of an Advisory Council appointed under this section shall be made to the Industrial Advisory Council.

Remuneration
and travelling-
expenses.

6. (1) There shall be paid to the Chairman and to the other members of the Industrial Advisory Council and every other Advisory Council appointed under this Act, not being employed in the service of the Crown, such remuneration by way of salary, fees, or allowances and such travelling allowances and expenses as may from time to time be directed or approved by the Minister of Finance or prescribed by regulations made under this Act, either generally or in respect of any particular person or class of persons.

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(2) All payments under this section shall be made out of moneys to be appropriated by Parliament for the purpose.

7. (1) Without limiting the general power to make 5 regulations conferred by section *nine* of this Act, it is hereby declared that regulations may be made under that section for any of the following purposes:—

Works
Committees.

(a) Providing for the establishment on a voluntary 10 basis of Works Committees representative of workers and employers in relation to any industries or undertakings or branches thereof for the purpose of promoting and maintaining harmonious industrial relations, and for the purpose of improving and maintaining the 15 welfare, safety, and health of workers:

(b) Prescribing the functions of any such Works Committees:

(c) Providing for the payment of workers by their 20 employers for time occupied in attending meetings of any such Works Committees or in attending to any matters arising out of the discussions of any such Works Committees.

(2) The Freezing Industry Emergency Regulations 1940 and the Freezing Industry Emergency Regulations 25 1940, Amendment No. 1, shall continue in force for the purposes of this section as if they had been made under this Act, and accordingly shall, where necessary, be deemed to have been so made.

Serial numbers
1940/312
1942/138

(3) The Emergency Regulations Continuance Act, 30 1947, is hereby amended by repealing so much of the Second Schedule as relates to the Freezing Industry Emergency Regulations 1940 and Amendment No. 1 thereof.

1947, No. 66

8. (1) A Conciliation Commissioner may at any 35 time, if he thinks fit, whenever he has reasonable grounds for believing that a strike or lockout exists or is threatened in any district in which he exercises jurisdiction, in respect of any matter which in his opinion is not specifically provided for in any award or industrial 40 agreement, call a compulsory conference of the parties in an endeavour to secure a settlement of the dispute.

Powers of
Conciliation
Commissioner
as to
threatened
disputes.

(2) Any such conference may be called by the Conciliation Commissioner by a notice in writing signed by him or by telegram sent by him notifying the date, time, 45 and place of the conference.

(3) In addition to the parties or representatives of the parties to the dispute, the Conciliation Commissioner may also require the attendance at any such conference of any other person whose attendance would in the opinion of the Conciliation Commissioner be likely to assist in securing a settlement of the dispute. 5

(4) Any person who is required to attend at any compulsory conference called under this section shall attend and continue to attend the conference as directed by the Conciliation Commissioner, and any person who without lawful excuse fails to comply in any respect with any such direction shall be liable on summary conviction to a fine not exceeding ten pounds. 10

(5) Any person nominated by the Minister may call a compulsory conference of the parties to an industrial dispute to which subsection *one* of this section would apply, and in any such case the provisions of this section shall apply as if the person so nominated were a Conciliation Commissioner. 15

Regulations.

9. (1) The Governor-General may from time to time, by Order in Council, make such regulations as he deems necessary or expedient for the purpose of giving full effect to the provisions of this Act, and for the due administration thereof. 20

(2) All regulations made under this section shall be laid before Parliament within twenty-eight days after the date of their making if Parliament is then in session, and, if not, shall be laid before Parliament within twenty-eight days after the commencement of the next ensuing session. 25

10. (1) This Act shall be administered by the Department of Labour established under the Labour Department Act, 1908. 30

(2) Section two of the Labour Department Amendment Act, 1936, shall apply in all respects as if this Act were one of the Acts specified in the First Schedule to that Act. 35

Act to be administered by Labour Department.
See Reprint of Statutes, Vol. VIII, p. 1175
1936, No. 4