

(61.) SHAG POINT COAL-MINERS.

In the matter of an agreement, made on the 17th day of May, 1900, pursuant to "The Industrial Conciliation and Arbitration Act, 1894," between the Shag Point Coal Company and the Otago Coal-miners' Union, in the Industrial District of Otago and Southland.

A REFERENCE was made to me under clause 28 of this agreement to fix the rates for getting coal from No. 4 and No. 6 seams. The question of trucking in these seams also arose.

As I intimated to the parties at Shag Point on Saturday, the 15th instant, this is beyond my authority under the clause referred to. The form of the agreement is somewhat unusual. It fixes the rates for the seams—"No. 5 small seam, and No. 1 upper portion—and fixes that Blaikie seam is to be worked on shift wages only. There is no general hewing rate for the whole mine mentioned in the agreement. I do not consider myself clothed with power to settle all disputes between the parties, but merely to settle detail disputes as to the working of the agreement. If I were to fix the rate for these seams, it might turn out that those mentioned in the agreement were no longer worked, and I should then have fixed the whole wages of the mine, which is not what the parties intended when they appointed me to settle matters upon which the mine-manager and local committee were unable to agree.

I accordingly decided that this matter referred is beyond my jurisdiction.

I recommend the parties to meet and settle a supplemental agreement, a course which will be much more satisfactory than bringing the matter before the Board.

Dated this 20th day of September, 1900.

FREDK. CHAPMAN,
Chairman of Board.
