

# **CHAPTER 5**

## **THE MASTER BUILDERS ASSOCIATION OF NSW 1914 - 1929**

### **THE GREAT WAR, GROWTH IN THE SYDNEY SUBURBS AND THE BEGINNING OF THE GREAT DEPRESSION**

#### **Introduction**

In 1914, Australia was drawn into the First World War. That fact and events that occurred during that war, according to Clark, generated an uncertainty in many Australians as to whether they were merely relocated Britons or people with their own country and own destiny.<sup>1</sup> The actions of many members of the Master Builders Association of NSW (MBA/NSW) seemed to indicate that they, as a group, continued to owe allegiance to the British Empire.<sup>2</sup> The outbreak of the war coincided with an economic downturn that was to last until 1920.

This chapter considers MBA/NSW responses to the shortage of labour in 1920; to the growing urbanisation of the State's capital city; and to the issue of overlapping awards due to the initiatives of the federal and state industrial tribunals. The MBA/NSW underwent a structural change in seeking to accommodate the needs of housing builders in Sydney's burgeoning suburbs. The MBA/NSW leadership, and that of its new suburban branches, became more involved in all levels of government, both as elected Members of Parliament and through the political lobbying process. The MBA/NSW pursued initiatives in meeting union demands for increased wages and reduced working hours. It also continued to pursue initiatives on behalf of members in regard to their tendering for work. The chapter concludes with the unsuccessful attempts of the federal conservative government to radically reform the industrial relations system against the background of a deteriorating economy moving towards the Great Depression of the 1930s.

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<sup>1</sup> Manning Clark, *A History of Australia*, vol. vi, Melbourne University Press, 1987, pp. 135-6.

<sup>2</sup> Federated Master Builders Association of Australasia (FMBA), *Minutes of Fourteenth Convention*, 27.4.1915, pp. 18-19.

### The Context

From the outbreak of the First World War, there was a strong rise in unemployment as the good times experienced in NSW since 1904 came to an abrupt end. The economic downturn was caused by business uncertainty and lack of investment which in turn led to retrenchments. Estimates suggested that unemployment rose from 5.7 per cent before the war to 7.7 per cent in 1915. However, there were no accurate statistics available and the pattern of unemployment varied between industries and between regions. With the loss of its German market, the mining industry was hardest hit and, within a few days of the start of the war, over 11,000 were unemployed and by early September 1914 there were 20,000 unemployed. Despite recruitment to the armed forces, there was still significant unemployment. The building boom in Sydney the result of suburban expansion and extensive infrastructure works such as water, sewerage and road came to a sudden halt. Michael Hogan observed that ‘In 1914, expenditure on building in Sydney had declined to £4.5 million from a high of £7 million three years previously.’<sup>3</sup>

By 1920, the building slump during the war had been turned around. As table 5:1 indicates there was a growth in the building industry during the 1920s. The growing urbanization of Sydney and the demand for housing fuelled this growth.

**TABLE 5:1**

<b>EXPENDITURE ON SYDNEY BUILDING WORKS</b>			
<b>Year</b>	<b>Total</b>	<b>Year</b>	<b>Total</b>
1914	£ 6,929,944	1924	£ 11,812,058
1918	£ 3,485,060	1925	£ 13,333,914
1920	£ 6,566,260	1926	£ 12,456,046
1921	£ 9,602,946	1927	£ 12,621,260
1922	£ 9,545,878	1928	£ 15,293,780
1923	£ 10,670,032	1929	£ 17,556,257

Source: MBFA, *Minutes of Thirty second Annual Convention*, 14.11.1938, p. 32.

<sup>3</sup> Michael Hogan, ‘Australia at War’, in Michael Hogan and David Clune (eds.), *The People’s Choice*, vol. 1, Parliament of NSW and the University of Sydney, Sydney, 2001, pp. 153-4.

The outbreak of the War coincided with a federal election in which the conservative government was defeated by the Labor Party led by Andrew Fisher.<sup>4</sup> The Australian army - the Australian Imperial Force (AIF) - was made up of volunteers and with heavy casualties mounting and voluntary enlistments falling short of reinforcement needs, the new Labor Prime Minister William Morris (“Billy”) Hughes began to campaign vigorously for the introduction of conscription. Conscription was defeated due to fractured public opinion, mainly along religious and industrial lines. The leadership of the Roman Catholic Church was prominent in its opposition to the War, as was the union movement, which launched major strikes toward the later years of the war.<sup>5</sup> In 1916 and again in 1917, amidst bitter division, Hughes’ government put the issue to the people in referendums. The proposal was defeated both times, narrowly the first, more decisively the second.<sup>6</sup> The decision to pursue conscription split both the Federal and the NSW Australian Labor Party (ALP) governments, and their respective leaders: Hughes, the Prime Minister and William Holman, the Premier of NSW retained power by forming new Nationalist coalitions with their former conservative opponents. Hughes and his National Party (NP) won a landslide victory in May 1917.<sup>7</sup>

Bruce replaced Hughes as Prime Minister in 1922 and in 1925 contested his first election as Prime Minister and he used the reform of industrial relations as the central plank of his campaign. Bruce won the 1928 election on a platform of seeking wider powers for the Commonwealth, but tabled legislation to rationalize the industrial relations system by handing all powers back to the states. The legislation was defeated and Bruce called another election in 1929 which was won by the ALP led by James Henry Scullin.<sup>8</sup>

In NSW the Labor Party played a more active role in government. The NSW Premier William Holman led a Labor Government from 1913 until the ALP split in 1916 and his formation of a Nationalist government. Labor led by John Storey won the 1920 elections. As Patmore observed, for the rest of the period covered in this chapter the political scene in NSW was volatile:

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<sup>4</sup> Clem Lloyd, ‘Andrew Fisher’, in Michelle Grattan (ed.), *Australian Prime Ministers*, New Holland Publishers, Sydney, 2000, p. 82.

<sup>5</sup> Hogan, ‘Australia at War’, p. 154.

<sup>6</sup> Geoffrey Bolton, ‘William Morris Hughes’, in Grattan (ed.), *Australian Prime Ministers*, pp.112-115.

<sup>7</sup> Geoffrey Bolton, ‘William Morris Hughes’, p. 113; *Sydney Morning Herald* (hereafter *SMH*), 7.5.1917, p. 6.

<sup>8</sup> Judith Brett, ‘Stanley Melbourne Bruce’, in Grattan (ed.), *Australian Prime Ministers*, pp. 135-8.

There was political turmoil in NSW with governments being defeated at every State election from 1920-1932. The Labor Party won power in 1920, 1925 and 1930. Changing governments had implications for both the State industrial tribunals and several industrial issues including working hours.<sup>9</sup>

The hours controversy commenced in 1920 when Labor appointments by the Storey government to the Legislative Council ensured the passage of the *Eight Hour Amendment Act*, 1920, which provided for a 44 hour week.<sup>10</sup> Until 1933, the NSW Legislative Council was an appointed House. The Nationalist government of Sir George Fuller (1922-1925) 'restored the 48-hour week over the indignation of the trade union movement', but unemployment continued at an unacceptably high level of 11 per cent of the unionized workforce in NSW in 1925 and the economy continued to stagnate. Whilst the prices of food and groceries declined due to the low levels of disposable income in the general population, a building boom in the Sydney suburbs had increased the price of housing and of rents.<sup>11</sup>

J. T. (Jack) Lang successfully led the ALP to the 1925 elections at a time when the NSW building industry was experiencing a minor boom with permits for new buildings in the Sydney metropolitan area peaking at 10,673 in 1925-26 and £13,000,000 of building work achieved in 1926-27. Emulating Storey's tactics, Lang made 25 appointments to the Legislative Council to enable his government to push through its controversial workers compensation legislation. Lang's *Industrial Arbitration (Amendment) Act* 1926 created the *Industrial Commission of NSW*, replaced the Board of Trade with conciliation committees, and declared that forty-four hours shall be the working week.<sup>12</sup> In 1927, Thomas Bavin led a Nationalist-Country Party Coalition to victory in the NSW elections.<sup>13</sup> By that time the Australian economy was faltering, unemployment had reached 10.8 per cent at the beginning

<sup>9</sup> Greg Patmore, 'Industrial Conciliation and Arbitration in New South Wales Before 1998', in Greg Patmore (ed.), *Laying the Foundations of Industrial Justice: The Presidents of the Industrial Commission of NSW 1902-1998*, The Federation Press, Sydney, 2003, p. 19.

<sup>10</sup> T.V. Matthews, 'Business associations and the state, 1850-1979', in Brian W. Head (ed.), *State and Economy in Australia*, Oxford University Press, Melbourne, 1983, p. 135.

<sup>11</sup> Michael Hogan, 'The 1925 Election', in Hogan and Clune (ed.), *The People's Choice*, vol. 1, pp. 269, 274.

<sup>12</sup> Allan W. Martin, 'The Politics of the Depression', in Robert Manne (ed.), *The Australian Century*, Text Publishing Company, Melbourne, 1999, p. 87; *New South Wales Parliamentary Debates*, 1925, Vol. 102, pp. 822, 1423.

<sup>13</sup> Kevin Cosgrove, 'The 1927 Election', in Hogan and Clune, (2001), *The People's Choice*, vol. 1, pp. 325, 327, 329.

of 1928 and revenue from State-owned projects was going into decline. Bavin lost to the ALP, which was again led by Lang, in the 1930 NSW elections.

### Structure and Leadership

The legal costs associated with industrial arbitration placed a heavy drain on the finances and staff resources of the MBA/NSW<sup>14</sup> and placed pressure on the association to recruit more members. It introduced a rule in 1923 under which members added fees, based on a sliding scale, to their tenders. The successful tenderer paid the fees to the MBA/NSW as an integral part of its membership subscriptions. However, the tender fees initiative foundered some five years later as only 31 per cent of the membership met their obligations in that regard,<sup>15</sup> and the rule was rescinded in 1929.<sup>16</sup> The MBA/NSW also expanded its membership through recruitment drives and the establishment of new branches. It embarked on a recruitment campaign in 1919, and called on members to assist through its monthly newsletter.<sup>17</sup> A list of all builders in the City and suburbs was compiled and members of the Organisation Committee identified those builders listed that were known to them for the purpose of approaching them to become members.<sup>18</sup> In 1925 the MBA/NSW embarked on another recruitment drive by producing a membership booklet and canvassing some 62 builders by mail. It also identified firms employing building tradesmen and resolved to offer them associate membership.<sup>19</sup> Also in 1925, the Association acknowledged the need to amend its membership rules to cater for the increasing number of members forming themselves into companies. By early 1926, a general set of rules had been adopted providing for a maximum number of three representatives from such companies - each of whom should be a qualified under the rules as master builders.<sup>20</sup>

The growing urbanization of Sydney and the need for housing construction, placed pressure on the MBA/NSW to foster the development of suburban branches comprising

<sup>14</sup> In 1915 and 1916 the MBA/NSW spent £830/-/-1 (\$1660) contesting claims before the NSW wages Boards. Its contribution to the Builders Labourers Award appeals equalled its 1911-16 income. FMBA, *Minutes of Sixteenth Convention*, 1.10.1917, pp. 19-20.

<sup>15</sup> MBA/NSW, *Minutes of Monthly General Meeting*, 17.4.1928.

<sup>16</sup> Ibid, 27.8.1929.

<sup>17</sup> MBA/NSW, *Minutes of Sub-committee on the President's Report*, 6.1.1916.

<sup>18</sup> MBA/NSW, *Minutes of Organisation Committee*, 27.3.1919.

<sup>19</sup> MBA/NSW, *Minutes of Executive and Admissions Committee Meeting*, 24.11.1925.

<sup>20</sup> MBA/NSW, *Minutes of Monthly General Meetings*, 14.7.1925, 12.1.1926.

housing builders and to find ways to accommodate the needs of its new membership. The St. George Branch was formed in June 1918 with a major objective 'being to fight the increased prices of building materials'. A Western Suburbs Branch was formed in October 1918,<sup>21</sup> with similar rules to that of the MBA/NSW save for the clause dealing with relationships with Architects as 'practically all suburban homes' were built under the supervision of the builder with no involvement of an architect.<sup>22</sup> In mid-1920, under the patronage of the Western Suburbs Branch, the Canterbury-Bankstown Branch was formed,<sup>23</sup> whilst the MBA/NSW convened a meeting at Parramatta for the purpose of establishing a committee of interested persons to form a branch in that area.<sup>24</sup> The MBA/NSW in 1919 employed an organiser with the objective of extending its membership and that of its suburban branches but, whilst he had success 'in bringing members into the Parent Association, the formation of the Suburban Branches really did not come to a head until after his efforts had ceased.'<sup>25</sup> By 1920, the suburban branches were granted representation on MBA/NSW Committees and at general meetings,<sup>26</sup> and a new organiser was engaged in October 1920 from among the members of the Western Suburbs Branch 'for the purpose of forming Branches in other suburbs'.<sup>27</sup>

By 1923, the MBA/NSW had three additional branches - Central Cumberland, Northern Suburbs and North Shore Line.<sup>28</sup> In 1925, the Eastern Suburbs branch was formed and by October that year had 33 individual members and 1 firm member<sup>29</sup> and in October 1926, the formation of the Manly & District Branch was under way.<sup>30</sup> By 1927, the North Coast Branch had 25 members and a newly formed Deniliquin Branch had 9 members.<sup>31</sup> Buoyant building activity in the area provided encouraging signs for the branch established at Wollongong in 1928 with the local mayor, Alderman Kiernai as President and J. H. Jones

<sup>21</sup> MBA/NSW, *Minutes of Monthly Meeting*, 15.10.1918.

<sup>22</sup> FMBA, *Minutes of Seventeenth Convention*, October 1920 (19.10.1920), pp. 33-4.

<sup>23</sup> MBA/NSW, *Minutes of Committee Meeting*, 8.6.1920.

<sup>24</sup> MBA/NSW, *Minutes of Meeting at the National Institute Rooms, Parramatta*, 19.7.1920.

<sup>25</sup> FMBA, 'Report from the Master Builders Association of NSW', *Minutes of Seventeenth Convention*, 19.10.1920, p. 31.

<sup>26</sup> MBA/NSW, *Minutes of Committee Meeting*, 11.5.1920.

<sup>27</sup> At Drummoyne, Five Dock; Mosman-Neutral Bay; North Sydney; Chatswood and Hornsby.

MBA/NSW, *Minutes of Executive Committee*, 22.9.1920.

<sup>28</sup> FMBA, *Minutes of Eighteenth Convention*, October 1923 (22.10.1923), p. 29.

<sup>29</sup> FMBA, *Minutes of Nineteenth Convention*, October 1925 (26.10.1925), p. 22.

<sup>30</sup> FMBA, *Minutes of Twentieth Convention*, October 1926, p. 18.

<sup>31</sup> FMBA, *Minutes of Twenty-First Convention*, November 1927, p. 37.

as the honorary secretary/treasurer.<sup>32</sup> However, within a year hopes of great things from that branch were fading.<sup>33</sup> The membership of the branches by 1928-1929 can be seen in Table 5:2 below:

**TABLE 5:2**

<b>THE MASTER BUILDERS ASSOCIATION OF NSW</b>		
<b>Name</b>	<b>1928</b>	<b>1929</b>
MBA/NSW: Metropolitan	212	187
Country	72	70
Canterbury-Bankstown Branch	48	65
Central Cumberland Branch	32	33
Eastern Suburbs Branch	118	101
Manly & District Branch	29	24
Newcastle Branch	137	79
North Shore Branch	77	58
Northern Suburbs Branch	40	25
St. George Branch	56	45
Western Suburbs Branch	49	42

Source: FMBA, *Minutes of Twenty second Convention*, 29.10.1928, pp. 23, 24, 27.  
FMBA, *Minutes of Twenty third Convention*, 22.10.1929, p. 50.

Despite its focus on membership growth, membership of the MBA/NSW and its suburban branches was jealously guarded and every application for membership subjected to close scrutiny. On one occasion, a meeting was urgently convened at which the recently approved membership of a Sydney builder was rescinded and his application stood over for one month. Two members had requested the meeting on the basis that one of them had known the builder for some years. As an employee carpenter in 1914 he was regarded as ‘an agitator, loafer, and disloyalist’ and ‘when he became an employer he treated his men badly when they were away on country jobs.’<sup>34</sup>

With the creation of its suburban branches, the MBA/NSW assumed a far more complex structure comprising its own direct membership as well as those of its suburban branches, each having its own elected leader, agenda, and objectives. This structure was further complicated by the *Council of Suburban Branches* formed by those branches to ‘establish unanimity amongst the Branches, as to the business to be brought forward at the

<sup>32</sup> MBA/NSW, *Minutes of General Committee*, 9.10.1928.

<sup>33</sup> MBA/NSW, *Minutes of Meeting of Executive Committee*, 11.3.1929.

<sup>34</sup> MBA/NSW, *Minutes of Special Meeting of Admissions Committee*, 19.1.1926.

quarterly meetings of the Central Body [the MBA/NSW], where suburban business is given preference.’<sup>35</sup>

### **Leadership and Operations of the MBA/NSW**

The MBA/NSW, whilst having effective leadership from its presidents during the period covered by this chapter, received great support from a number of its past Presidents, many of whom were well experienced in the dynamics of association operations at both State and Federal level.<sup>36</sup> Further, many office-bearers of the MBA/NSW and of its suburban branches led high profile lives within their respective communities from which they had gained valuable experience which they utilised within the master builder movement. For example, Alderman A. H. Moverly, a President of Eastern Suburbs Branch, and of the Council of Suburban Branches, was Mayor of Randwick Council in 1930 and was its representative on the Metropolitan Sewerage and Drainage Board. He was later to be elected to the NSW Parliament,<sup>37</sup> but continued to be very much involved with the MBA/NSW.

The MBA/NSW also actively promoted the involvement of its members in political life. Alderman W. F. Foster successfully contested the NSW State elections in 1925, and was the Non-Labor member for Vaucluse in the NSW Legislative Assembly until his death in 1936. The MBA/NSW had resolved in 1925 that its members ‘should render Alderman Foster, Past President, every assistance in the forthcoming (State) elections’ and further Special Meetings were convened solely to pursue that objective.<sup>38</sup> He remained an active supporter of the MBA/NSW throughout his life. Foster assisted the Association by arranging meetings with Ministers and senior Members of Parliament and by making supportive speeches in Parliament.

The MBA/NSW had, since 1905, enjoyed the stable administration of its secretary, Norman Phelps-Richards, and of its presidents and executive members. Phelps-Richards enjoyed a very good reputation within the industry. He successfully acted as secretary to associations that also used the MBA/NSW office premises in Castlereagh Street for their

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<sup>35</sup> FMBA, ‘Report of Presidents of Western Suburbs Branch Association and St George Branch of MBA of NSW’, *Minutes of Eighteenth Convention*, October 1923 pp. 36-7.

<sup>36</sup> Such as: James Pringle, 1898 MBA/NSW President, 1900 FMBA President and FMBA Hon Secretary 1909-1920; and, James Wall, MBA/NSW President in 1908 and FMBA President in 1913.

<sup>37</sup> *Local Government Journal*, 13.2.1929 pp. 14-15; *Construction*, 1.12.1937 pp.6-7.

<sup>38</sup> MBA/NSW, *Minutes of Special Meetings*, 18.4.1925 and 6.5.1925.



meetings such as the Electrical Employers' Association of NSW,<sup>39</sup> the Public Works & General Contractors' Association of NSW, the Master Plasterers' Association of NSW, the Monumental Masons' Association of NSW and British Allied Manufacturers' Association. It was an arrangement of which the MBA/NSW approved, as it encouraged cooperation and affiliation by those associations. At the time of Phelps-Richards' death in 1928, the MBA/NSW had a staff of five and the Association had matured in its development through his efforts and those of the Presidents who served since 1905. The assistant secretary, Leslie Gordon Smith,<sup>40</sup> served as acting secretary from September to December 1928 until Lawrence William Beagley, was elected Secretary.<sup>41</sup> Beagley was Town Clerk of Waverley Council for eleven years. He was an Associate of the Federal Institute of Accountants, a Fellow of the Australian Institute of Secretaries, and an Associate of the Corporation of Accountants and Auditors of Australia. He had represented Waverley Council on the carpentry, bridge carpentry, plumbing and road making conciliation committees in the NSW industrial arbitration system.<sup>42</sup>

In August 1918, the MBA/NSW accepted an invitation, from George Augustine Taylor to use *Construction* as its official publication.<sup>43</sup> The MBA/NSW suburban branches and its Newcastle Branch also used *Construction* as their official publication. Reports of all association and branch meetings were published in *Construction*. Taylor was multi-talented and influential. His publications, which were widely read throughout the country, covered the subjects of building, local government administration, engineering and town planning. He published the *Radio Journal of Australia*, and formed various Associations related to the wireless in Australia, New Zealand, Fiji and in Switzerland. Taylor presented one of the first public displays of 'the remarkable advantages of wireless' in the rooms of the MBA/NSW in 1910.<sup>44</sup> George Taylor was a great advocate for the MBA/NSW. His stature within the industry was such that his relationship with it and with its branches assumed the character of mentor. Taylor on one occasion actively participated in a suburban branch's membership

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<sup>39</sup> In 1924/25 Phelps-Richards piloted through Parliament the (NSW) Electrical Contractors' Licensing Act. *Construction*, 26.9.1928, p. 15.

<sup>40</sup> He was initially employed as an Organiser and also acted as Secretary to the Shopfitters Association.

<sup>41</sup> MBA/NSW, *Regular Monthly Meeting*, 18.12.1928.

<sup>42</sup> *Construction*, 2.1.1929, p. 14.

<sup>43</sup> MBA/NSW, *Minutes of Monthly General Meeting*, 20.8.1918, 17.9.1918.

<sup>44</sup> *Construction*, 15.6.1927, p. 3.

drive.<sup>45</sup> Whilst the process of mentoring is generally associated with the encouragement of individuals,<sup>46</sup> Taylor mentored the MBA/NSW. He urged all employers to support and join associations - a few verses of his poem on the subject are set out below:

**An Ode to an Employer outside any Organisation**

Oh! don't you hear me calling?                      Organise!  
For your factory is falling!                              Organise!

Don't you see the State is slaying  
Private Enterprise; and playing  
With the taxes you are paying?                      Organise!

Labour knows that it can beat you -                Organise!  
That is why I now entreat you -                      Organise!

Can't you see the Union forces  
Coming on like maddened horses;  
Now's your time! Your only course is - Organise!<sup>47</sup>

After his death in 1928 the MBA/NSW continued to support *Construction* that his widow, Florence Taylor, then managed and edited.<sup>48</sup>

Whilst never its President, Lieutenant Colonel Sir Thomas Henley was another great advocate and supporter of the MBA/NSW. He extended the MBA/NSW voice to the Parliament. The son of an agricultural labourer, he had little schooling and 'carried the hod' prior to migrating from England in 1884 at the age of 24. Commencing as a plastering contractor, he was an astute businessman buying land at Drummoyne, Balmain, Petersham, and at Five Dock.<sup>49</sup> He joined the Building and Contractors' Association of NSW (BCA/NSW),<sup>50</sup> and attended three conventions of the Federated Builders and Contractors' Association of Australasia (FBCA) and was elected treasurer in 1898. An Alderman of Drummoyne from 1898 to 1934, he was four times Mayor. He was a member of the Metropolitan Water Sewerage & Drainage Board from 1902 to 1933 and was a Non-Labor member of the Legislative Assembly of NSW from 1904 until his death in 1935. Once in

<sup>45</sup> FMBA, 'Suburban Branches Report – NSW', *Minutes of Nineteenth Convention*, October 1925, p. 24.

<sup>46</sup> Stephen P. Robbins, Rolf Bergman, Ian Stagg and Mary Coulter, *Management*, 3<sup>rd</sup> ed., Prentice Hall, Sydney, 2002, pp. 674-5.

<sup>47</sup> *Construction*, 21.9.1921, p. 18.

<sup>48</sup> MBA/NSW, *Minutes of Committee Meeting*, 14.2.1928.

<sup>49</sup> Bede Nairn and Geoffrey Serle (gen. eds.) 'Sir Thomas Henley', *Australian Dictionary of Biography*, vol. 9, Melbourne University Press, Carlton, 1983, pp. 260-1.

<sup>50</sup> BCA/NSW, *Minutes of General Meeting*, 17.6.1890.

parliament, Henley continued to support the MBA/NSW in many ways. For example he assisted W. F. Foster MLA and the MBA/NSW Executive to prepare a response to the *Industrial Arbitration Bill* 1925.<sup>51</sup> He later supported the MBA/NSW position in the 1928 debates in the Legislative Assembly over the *Government Savings Bank (Housing) Bill* 1928.<sup>52</sup>

In 1913-1914, with two others, Thomas Henley incurred £3,500 costs in a case that went to the Privy Council challenging the NSW Labor Government's plans to convert the NSW Government House to other uses. He was gazetted a Lieutenant Colonel in 1915, and later knighted.<sup>53</sup> Like many members of the MBA/NSW, he was loyal to the British Empire. As Lieutenant-Colonel Henley, C.B.E., M.L.A., he told an Anzac Day service at Burwood in Sydney on 25 April 1920:

‘The British Empire is ours. We belong to it.’<sup>54</sup>

### **Regulating the Home Building Industry**

The growth of house building, and its suburban branches comprising builders involved in that sector of the industry, imposed new responsibilities and created new challenges for the MBA/NSW. It continued to focus on political lobbying. On behalf of its St. George Branch in 1918, the MBA/NSW requested the Treasurer in the Nationalist NSW Government to introduce more liberal advances into his proposed *Savings Bank (Housing) Bill*, which assisted workmen in building their homes. The MBA/NSW proposed that £500,000 be allocated to provide advances up to £750 with the percentage of the purchase advanced being increased to 90 per cent from the then 75 per cent.<sup>55</sup> Further deputations were made over that issue to the Minister for Local Government on 4 April 1919 and to the Minister for Works on 25 April 1919.<sup>56</sup>

In 1925, at the request of John Charles Lucas Fitzpatrick, the Minister for Local Government in the NSW Fuller Nationalist government, the President of the MBA/NSW

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<sup>51</sup> MBA/NSW, *Minutes of Regular Monthly Meeting*, 10.11.1925.

<sup>52</sup> *New South Wales Parliamentary Debates*, Second Session 1928, vol. 114, p. 732.

<sup>53</sup> Nairn and Serle, ‘Sir Thomas Henley’, pp. 260-1.

<sup>54</sup> Clark, *A History of Australia*, vol. vi, p. 154.

<sup>55</sup> MBA/NSW, *Minutes of Monthly Meeting*, 17.9.1918.

<sup>56</sup> MBA/NSW, ‘Secretary’s Report’, *Minutes of Special Committee Meeting*, 1.5.1919.

convened a meeting to discuss problems associated with ‘effectively providing housing at a lower cost.’ Representatives from Canterbury-Bankstown, Central Cumberland, St George, and Western Suburbs Branches attended the meeting. Other organizations included the Housewives’ Association, Health Inspectors’ Association, Builders’ Exchange, Institute of Surveyors, the Local Government Department, the Local Government Association, the Real Estate Agents’ Institute, Sydney City Council, Town Planning Association and Local Government Engineers’ Association. The meeting resolved to establish an Executive Committee to:

organise a conference representative of all elements in the community likely to be of assistance, in effectively dealing with this important question, with power to appoint sub-committees to report to a further conference.<sup>57</sup>

In early 1926, the Executive Committee organized the conference and reported its findings. However, a new government led by the Premier, Jack Lang had appointed various Labor Members of the NSW Parliament to inquire into the very issues which the Executive Committee was examining. The conference decided, in April 1926, to send the report of its Executive Committee to the Government, and ask the Government whether it wanted the work of the conference to continue. Finally some four months later, in August 1926, the Government thanked the MBA/NSW and others for their work but refused offers of further assistance. The Committee of Labor Members adopted none of the recommendations of the Conference Executive Committee, nor did it ‘appear to have broken any new ground.’<sup>58</sup>

The NSW Nationalist Government of Thomas Bavin introduced a Government Savings Bank (Housing) Bill in 1928 which provided for changes within the structure of the Government Savings Bank and provided its Commissioners with power to initiate housing construction and to grant loans of up to £1,200 (\$2,400) and no more than 90 per cent of the capital cost of the home purchase. Jack Lang, the leader of the Labor Party Opposition, referred to the fact that the Bill limited the power of the Commissioners to make loans only for houses that they themselves had constructed, and reminded the Premier of his election promise:

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<sup>57</sup> MBA/NSW, *Minutes of Conference*, 19.5.1925 (The Executive Committee elected comprised Peter Beddie, President MBA/NSW, Norman Phelps-Richards, Secretary MBA/NSW, and Dr. Arthur MLA).

<sup>58</sup> MBA/NSW, 1926 Annual Report, 15.2.1927.

We do not propose to engage in the business of house building. Previous attempts on the part of the Governments to do this have failed miserably<sup>59</sup>

Lang accused the Premier of creating 'a building and construction department' within the Government Savings Bank and of having brought 'in a measure which compels the Savings Bank Commissioners to begin building homes by spending their own money. They are to build them according to plans and specifications drawn up by themselves.'<sup>60</sup> The Bill did not provide the Commissioners with power to advance money to purchase houses already constructed, nor for the purpose of taking over existing mortgages. William Foster, the former President of the MBA/NSW and Nationalist member for Vaucluse, despite being a supporter of the Government, said he was 'astounded' that houses already built were excluded from the Bill. He told the House that men who put their money into building should be encouraged as the ostensible object of all housing schemes was to provide more houses.

The MBA/NSW regarded the Bill with alarm as it appeared that the State Government had not 'got rid of the day labour fallacy' and that 'on the part of some members on the Government side there appeared to be an anxiety to show the Opposition that they were sound in the day-labour faith.'<sup>61</sup> Alderman A. H. Moverly, President of the MBA/NSW Council of Branches, successfully called on a convention of the FMBA to approve the principle of state housing providing that the work was carried out under the contract system and 'not by the costly system of day labour.' Moverly declared his support for the 'Advances for Homes' principle as: every man who owned his own home was less likely to become a Communist.<sup>62</sup> Despite opposition from the MBA/NSW and from within Government ranks, the Bill was passed and received Royal Assent in November 1928.<sup>63</sup>

Another issue was regulating the building industry by builders' licensing. Housing speculation has always been attractive market and those built with cheap and incompetent labour generated public criticism relating to jerry-built housing. In addition to that criticism, the competition created by 'jerry builders' generated interest in the issue of licensing among MBA/NSW housing builders. It was seen as a way of highlighting the superiority of the

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<sup>59</sup> *New South Wales Parliamentary Debates*, Third session 27 September 1928, vol.114, p. 469.

<sup>60</sup> *Ibid.*, p. 561.

<sup>61</sup> FMBA, *Minutes of Twenty-Second Convention*, October 1928 (31.10.1928), p. 109.

<sup>62</sup> *Ibid.*, pp. 111, 113.

products produced by MBA/NSW members and, importantly, as a means of limiting competition. Licensing was first raised by H. W. Thompson, President of the MBA/NSW, at a FMBA convention in October 1909. He noted that NSW architects had similar objectives. Further, Germany registered builders and prevented those without a licence from practicing as a builder.<sup>64</sup> Whilst there was unanimity at that time on the need to protect the interests of builders, the manner in which it could be achieved varied from the MBA/NSW licensing proposal to the Victorian proposal that Master Builder Associations be fostered ‘in towns and districts outside of the cities.’<sup>65</sup>

Despite an FMBA resolution in October 1909 to obtain further information on the subject and refer the matter to each State association for consideration,<sup>66</sup> the subject did not resurface for another fifteen years. The focus of the MBA/NSW on industrial issues and its challenge to the federal industrial relations system and to the federal builders’ labourers’ award could explain that lapse in purpose. Further, major builders, who dominated the MBA/NSW at that time, worked in an area of the industry that required substantial capital and therefore were unlikely to suffer competition from ‘amateur speculators’. That situation changed once suburban branches were formed by housing builders, and the growth in Sydney urbanization following World War I had, according to the MBA/NSW, stimulated the building trade and ‘caused an influx of inexperienced and inefficient men to enter the industry. The result, to quote only one instance is the poor class of dwellings that have been erected in many of the homes for returned soldiers.’<sup>67</sup>

In 1925 the MBA/NSW appointed a Registration of Builders Committee, which prepared a draft Bill and resolved to have the Association take immediate steps to have the Bill submitted to Parliament”.<sup>68</sup> E. J. Hocking, the President of the Council of Branches, later argued:

The Bill is based on practical experience of other measures of a similar character. It has been carefully examined by a Committee of the Master Builders Association of N.S.W. and Branches, and is now, after having been

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<sup>63</sup> *New South Wales Parliamentary Debates*, Third Session 1928, vol.114, p. 1744.

<sup>64</sup> FMBA, *Minutes of Tenth Convention*, 19-21.10.1909, p. 98.

<sup>65</sup> *Ibid*, pp.101-102.

<sup>66</sup> *Ibid*, p.102.

<sup>67</sup> FMBA, *Minutes of Nineteenth Convention*, 26-27.10.1925, p. 112.

<sup>68</sup> MBA/NSW, *Minutes of Registration of Builders Committee*, 23.9.1925.

amended to suit what is believed to be the best interests of the higher branches of the industry and of the public; recommended to you .....<sup>69</sup>

Despite the efforts of its former President, Ald. W.F. Foster MLA, the MBA/NSW campaign for legislation in terms of the 1925 draft bill was unsuccessful.

### **Trade and Tendering Problems**

During the First World War, and the immediate post-war years, the MBA/NSW faced continuing day-labour practices by Sydney City Council as well as competition from State-owned enterprises. An example was the tendering by the state quarries against private quarries for the supply of material to Sydney Council.<sup>70</sup> An MBA/NSW delegation, on 11 August 1916, met with the Lord Mayor of Sydney to express concern at the day-labour practices in relation to City Council works. The delegation, led by the MBA/NSW President and comprising its Committee of Management, suggested that the Council might allow the builders to tender for Council works against tenders submitted by Council's Architect's Department. The case for the contract system was argued by William Stuart and J. M. Pringle who reported that though the Lord Mayor was a labour man, 'he was not one that bowed down to catch words and shibboleths' and that they believed he would support their position before the Council.<sup>71</sup> The day-labour issue remained unresolved throughout the post-war years and the MBA/NSW complained to other local government agencies including the Metropolitan Water Sewerage and Drainage Board (MWS&DB). In late 1929 a joint deputation comprising representatives of the MBA/NSW and its affiliate, the Public Works & General Contractors Association, complained to the MWS&DB at the degree of day-labour undertaken by it.<sup>72</sup> The Board later confirmed to the MBA/NSW that it would engage contractors save for minor works.<sup>73</sup>

The MBA/NSW introduced a policy in May 1918 that required its members to purchase their supplies from members of the Builders Exchange. However, supplies from timber yards and brickworks owned by the State and by some non-members of the Builders

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<sup>69</sup> Ibid.

<sup>70</sup> MBA/NSW, *Minutes of Monthly Meeting*, 18.11.19.

<sup>71</sup> MBA/NSW, 'Report by the Secretary,' *Minutes of Monthly Meeting*, 15.8.1916.

<sup>72</sup> MBA/NSW, *Minutes of Monthly Meeting*, 11.12.1929.

<sup>73</sup> Ibid, 9.12.1929.

Exchange were much cheaper.<sup>74</sup> The policies were designed to attract and bind suppliers and to encourage other organisations to affiliate with it. Associations representing public works contractors and painting and electrical employers each sought closer ties with the MBA/NSW and shared its support for preferential discounts and for Australian or British made materials.<sup>75</sup>

Throughout its history, the MBA/NSW has focused on the need to protect the rights and interest of its members in their dealings with architects and clients. For many years, tenderers on specific projects would meet informally and discuss terms under which tenders should be made and the conditions of contract that would constitute any final agreement by the winning tenderer. After the First World War, that loose practice evolved into an integral part of the operations of the MBA/NSW. The Executive Committee would summon tenderers to a meeting at which tender and contractual conditions for a project would be decided<sup>76</sup> and ‘enforced by the association members in accordance with usual practice’.<sup>77</sup> Another example was a meeting called to discuss a project which had proved too costly and was being put out to tender with a reduced list of prime cost (PC) items.<sup>78</sup> There was nothing clandestine in the process and non-members were often invited to tender meetings by the Association. Non-members were given voting rights as they were required to agree to the resolution made by that meeting that could include declining to tender unless quantities were provided.<sup>79</sup> The results of those tender meetings were also reported to general monthly meetings of MBA/NSW members.<sup>80</sup>

### **Industrial Relations Issues**

In addition to trade issues, the MBA/NSW continued to pursue industrial relations issues. Major issues included apprenticeship, overlapping federal and state jurisdictions, and the conformity of building awards.

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<sup>74</sup> MBA/NSW, (In Committee) *Minutes of Monthly Meeting*, 21.5.1918.

<sup>75</sup> MBA/NSW, *Minutes of Regular General Meeting*, 17.10.1916.

<sup>76</sup> MBA/NSW, *Meeting of General Committee and Government Savings Bank Tenderers*, 1.4.1925; MBA/NSW, *Meeting of Executive Committee and Rural Bank Tenderers*, 6.4.1925.

<sup>77</sup> MBA/NSW, *Minutes of Regular Monthly General Meeting*, 19.5.1925.

<sup>78</sup> MBA/NSW, *Meeting of Executive Committee and Royal Automobile Club Premises Tenderers*, 6.4.1925.

<sup>79</sup> MBA/NSW, *Meeting of Executives and tenderers re alteration to flats at Neutral Bay, under Messrs Esplin & Mould, Architects*, 23.4.1925.

<sup>80</sup> MBA/NSW, *Minutes of Regular Monthly General Meeting*, 19.5.1925.



In 1917, Augustus George Frederic James, NSW Minister for Public Instruction, complained that building employers were too dependent on imported labour for their skilled trades. Australian youths went in to unskilled occupations and became ‘hewers of wood and drawers of water.’<sup>81</sup> He proposed the establishment of an Industrial Training Commission. James saw a shortened period of apprenticeship as providing an answer to that problem, and advocated a preliminary training for two years in a trade school. The MBA/NSW succeeded in having the FMBA draw the attention of federal and state governments to: the high wages set for unskilled junior labour; the need to have educational control over youths until they had reached 21 years of age; and to limitations placed on apprenticeships in regard to number and to age. FMBA also recommended: trades education for youths between the ages of 14 and 16 years of age; the admission and training of returned soldiers; establishment of a Joint Board of Control comprising employers and workmen to work with State Technical Colleges and Advisory Committees; and the removal of political control.<sup>82</sup>

The NSW Parliament, however, passed the *Industrial Arbitration (Amendment) Act*, 1918 by which the *NSW Board of Trade* was constituted, comprising a judge of the Court of Industrial Arbitration as president, a deputy president, and four commissioners. The effect of the amendment was that the Court of Industrial Arbitration and the industrial boards no longer had jurisdiction over apprentices as those powers and duties were conferred upon the Board of Trade.<sup>83</sup> The Board instituted an inquiry into the incidence of apprenticeship in industries during the latter part of 1918,<sup>84</sup> and the MBA/NSW established a committee to provide input to that inquiry.<sup>85</sup> Ultimately, the Board did not proceed with its plan to create general regulations and merely produced separate sets of regulations for particular trades.

The *Industrial Arbitration (Amendment) Act* 1926, introduced by the Lang (Labour) Government, provided for the establishment of the *Industrial Commission of NSW* (the Commission). The Commission, which comprised an Industrial Commissioner and Deputy

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<sup>81</sup> FMBA, ‘Proposals of NSW Minister for Public Instruction’, *Minutes of Sixteenth Convention*, October 1917, pp. 41-42.

<sup>82</sup> *Ibid.*, pp. 44-45.

<sup>83</sup> Section 80, *Industrial Arbitration (Amendment) Act*, 1918

<sup>84</sup> Industrial Commission of NSW, *The Apprenticeship System in NSW, A Report By the Commission to the Minister for Labour and Industry - July 1968*, NSW Government Printer, Sydney, 1969, p. 108.

<sup>85</sup> FMBA, *Minutes of Seventeenth Convention*, October 1920 (19.10.1920), p. 33.

Commissioner, had power to create conciliation committees.<sup>86</sup> The Commission replaced both the Industrial Arbitration Court and the Board of Trade, the powers and duties of which in relation to apprentices were transferred to the conciliation committees. However, there was a right of appeal to the Commission from awards made by committees.<sup>87</sup>

The overlapping of federal and state awards became an increasing problem during this period as they could contain different provisions for wages and conditions. The failure of the MBAs to overturn the Federal Builders Labourers' Award led to demands for state coverage of the building industry. On 5 June 1917, James McIntyre, the MBA/NSW President, told George Beeby, the NSW Minister for Labour and Industry, that NSW had the ability to handle its own industrial affairs and that a list of industries which were local in their operations should be prepared and exempted from the Federal Court. He warned the Minister that before long the powers left to the State would be so limited as to be useless. The Minister agreed that there was a problem and, referring to a large number of industries in which there were dual awards, stated his belief that the issue was serious enough to warrant a conference between state and federal Ministers.<sup>88</sup> Despite its delegation to the NSW Government, and an approach to Billy Hughes, the Prime Minister, nothing was achieved to bring to an end 'the evils of overlapping awards.'<sup>89</sup>

The MBA/NSW, however, was somewhat heartened by the discussions at various interstate governmental conferences in 1923 where the NSW Attorney-General, T. R. Bavin, and the new Prime Minister of Australia, Stanley Bruce, had each proposed radical changes to amend the Constitution so as to limit the role of the Federal Court. The MBA/NSW preferred the proposal of Bavin which would restrict the jurisdiction of the Federal Court to industries of a federal character such as shearing and shipping, though it would prefer the building industry to be clearly exempted from being regarded as a federal industry. However, the MBA/NSW regarded Bruce's proposal as convoluted due to the proposal to establish a third tribunal to which unions could apply to be placed under federal control. The

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<sup>86</sup> Patmore, 'Industrial Conciliation and Arbitration', p. 21.

<sup>87</sup> Industrial Commission of NSW, *The Apprenticeship System*, p.109.

<sup>88</sup> *SMH*, 6.6.1917, p. 7.

<sup>89</sup> James Pringle, 'The Development of Industrial Legislation, Commonwealth and State, as it affects the Building Trade', in FMBA, *Minutes of Eighteenth Convention*, October 1923 (23.10.1923) pp. 49-54.

MBA/NSW was also concerned that the Bruce proposal would lead to ‘unlimited litigation’ which may lead to the building industry being declared a ‘Federal Industry.’<sup>90</sup>

Despite objections from many quarters,<sup>91</sup> in 1926, the Bruce Government pressed ahead with its plan to rationalise Commonwealth and State responsibilities for industrial relations through a referendum seeking constitutional changes. However, the proposals put forward were complex - including one under the Commonwealth was provided with ill-defined power over essential services.<sup>92</sup> The referendum was defeated. James Pringle delivered an acrimonious paper to the FMBA that began:

The proposed amendments to the Constitution lately submitted to a Referendum of the Australian people were designed, if answered in the affirmative, to give to the Federal Parliament power to rectify certain rampant abuses which had arisen in connection with the administration of our industrial laws, but the Oracle of the Ballot-box mumbled an equivocal answer of Yes, No! and bang went many thousands of pounds and nothing to show for them.<sup>93</sup>

Given the states-rights views held by the MBAs generally, and its unsuccessful attempt to challenge the making of the Federal Builders’ Labourers Award, the comments by James Pringle appear to have been a conflict between its ideological support for a conservative government, and its ideological support for states-rights.

Within the NSW jurisdiction, the MBA/NSW faced a drive for shorter hours. A union push for a 44 hour week commenced in March 1920<sup>94</sup> with the Operative Bricklayers’ Union’s campaign against working on Saturdays. A month later, the building trade unions generally had joined the campaign.<sup>95</sup> The MBA/NSW threatened a lock-out and the NSW Industrial Court reduced the weekly award rate of bricklayers, who refused to work the 48 hours a week, by four hours, and fined their Union one hundred pounds £100 (\$200) for participating in an illegal strike.<sup>96</sup>

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<sup>90</sup> Norman Phelps-Richards, ‘Industrial Chaos: The overlapping of Federal and State Jurisdictions’, in FMBA, *Minutes of Eighteenth Convention*, October 1923 (23.10.1923), pp. 57-8.

<sup>91</sup> Aaron Wildavsky and Dagmar Carboch. *Studies in Australian Politics*, F.W. Cheshire Melbourne, 1959, pp.7-122 and pp. 74-80.

<sup>92</sup> Ibid, pp. 12-16

<sup>93</sup> James Pringle, ‘The Referendum and Industrial Legislation’, in FMBA, *Minutes of Twentieth Convention*, 26.10.1926, pp. 57-9.

<sup>94</sup> MBA/NSW, *Minutes of Committee Meeting*, 2.3.1920; MBA/NSW, *Minutes of Special General Meeting*, 4.3.1920.

<sup>95</sup> MBA/NSW, *Minutes of Extraordinary General Meeting*, 6.4.1920.

<sup>96</sup> MBA/NSW, *Conference of Employers*, 10.3.1920; *The Worker*, 29.4.1920, p. 5.

The problem for the MBA/NSW, and for building employers generally, in 1920 was the buoyant state of the building industry and the keen competition for labour. For example, the shop-fitting members of the Employers Federation of NSW complained that some timber merchants were paying carpenters 2/4 (23 cents) per hour above the award for a 44 hour week.<sup>97</sup>

MBA/NSW members bickered among themselves about over-award offers being in recruitment advertisements.<sup>98</sup> George Parker Jones Jnr suggested in 1918 that the scarcity of bricklayers in the city was the result of housing builders in the suburbs paying special rates.<sup>99</sup> Special meetings were convened by the MBA/NSW in 1919 and 1920 to consider requests from members for permission to increase wages of bricklayers in their employ. For example, permission was granted to increase the wages of bricklayers on a Ryde project due to the distance they were required to travel.<sup>100</sup>

The building unions maintained their boycott of Saturday work and were later joined by metal trades workers. The NSW Government appointed Justice George Beeby, the President of the Board of Trade and former Minister, as a Royal Commissioner to investigate the claims. The shortage of labour led the MBA/NSW to agree to an increase in wages for plasterers of up to 2/6 (25 cents) per hour. However, it refused any reduction in hours pending the outcome of a NSW Royal Commission into the subject<sup>101</sup> which ultimately reported in favour of a general reduction to 44 hours per week.<sup>102</sup>

The NSW Labor Government passed the *Eight Hours (Amendment) Act*, 1920 in December 1920, which provided for a Special Court to inquire into the question of reducing the standard weekly hours of work from 48 to 44. Justice Beeby, sitting as the Special Court, reduced the working hours to 44 and increased wages to compensate the employees for the less time worked. Whilst the Special Court had issued a proclamation declaring the 44 hours were to be worked over a five and a half days week, it did provide an exception where an employer and his employees agreed to work the entire 44 hours in five days at ordinary rates.

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<sup>97</sup> MBA/NSW, *Conference with the Shopfitting Section of the Employers Federation*, 2.7.1920.

<sup>98</sup> MBA/NSW, *Conference with Master Plasterers Association*, 22.9.1920.

<sup>99</sup> MBA/NSW, *Minutes of Monthly General Meeting*, 17.9.1918.

<sup>100</sup> MBA/NSW, *Minutes of Special Meeting*, 6.3.1919.

<sup>101</sup> MBA/NSW, *Conference with Master Plasterers and Plasterers' Union*, 29.9.1920.

<sup>102</sup> MBA/NSW, *Minutes of Monthly General Meeting*, 15.2.1921.

The Building Trades Unions claimed that this provision gave them the option of working the 44 hours in five days. They were supported by the NSW Government and ‘one or two’ large non-MBA builders. Conciliation Commissioner J. B. Holmes convened conferences that proved unsuccessful and he referred the matter to Justice Beeby ‘who stated, in the most definite manner possible, that it was not his intention to eliminate Saturday work and that he would not alter his previous decision on that question.’<sup>103</sup> Despite the majority of building unions heeding the Judge’s statement, the Plasterers’ Union continued its campaign until its members were advised that any absences from work on a Saturday would be regarded as a resignation. The MBA/NSW threatened to apply to the NSW Court for its deregistration and the Plasterers’ Union withdrew its resolutions and entered wage negotiations.<sup>104</sup>

A change in government in NSW saw the virtual repeal of the 1920 Act by the *Eight Hours (Amendment) Act*, 1922, but there was an onus on employers to secure variations to awards before the 48-hour week could legally be worked. An application by the MBA/NSW to the NSW jurisdiction to increase hours in the building industry was challenged by the unions. The unreported decision on 21 December 1922 granted 46½ hours to Sydney and Newcastle workers and 48 to the rest. Therefore any jobs carried out as country work, where building tradesmen worked in places such as camps and joinery mills on a permanent basis, their hours of work were to be 48 per week. The Sydney and Newcastle hours were further reduced to 46 and painters to 44 hours by a Full Court decision in April 1923. Despite that decision, the unions continued to press for a five-day 44-hour week and the shortage of tradesmen led the Association to cease demanding observance of the award. By October 1923 the majority of building tradesmen worked the 44 hours over a five day week.<sup>105</sup>

### **Industrial Disputes**

The MBA/NSW employed a number of strategies in answer to industrial campaigns during the 1920s. Between 1920 and 1923, the NSW Court had varied the building awards on four occasions in line with decreases and increases in the cost of living determinations by

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<sup>103</sup> FMBA, ‘Report of President of the Master Builders Association of NSW’, *Minutes of Eighteenth Convention*, 22.10.1923, p. 31.

<sup>104</sup> *Ibid.*, pp. 31–3.

<sup>105</sup> *Ibid.*, pp. 28 and 32-33.

the Board of Trade. Whilst the award wages themselves had varied slightly, in the latter part of 1923 the MBA/NSW reported:

At the present time there is a considerable difference between award rates and current rates, and the latter vary as between the city and suburbs and between one suburb and another.<sup>106</sup>

The variance between the city and suburban rates could be regarded as a natural result of the differences between commercial and domestic construction. Fortunately, the good relations between the branches and the MBA/NSW allowed a united front on over-award rates.<sup>107</sup> The ability of the MBA/NSW to maintain a united front against worker demands was again tested in 1925. The MBA/NSW employed a strategy involving controlling and monitoring the engagement of plasterers after failing to negotiate a settlement to a wages claim by the Operative Plasterers Union. It held conferences with the Master Plasterers' Association and a conference of 'all known employers of plasterers' eventually resolved that employers be requested to sign an agreement limiting plasterers' wages to 3/- per hour on and from Friday 11 September 1925. It was further resolved that, prior to engaging additional plasterers, employers would ensure from the previous employer that the worker had not left because of a dispute over wages. MBA/NSW members were requested not to engage any plastering contractor without receiving an assurance that the new rate would be applied.<sup>108</sup>

The MBA/NSW also sponsored the formation of an Industrial Committee with other employer associations early in 1927, when the ASC&J went on strike in the shop and office fitting section of the New South Wales building industry. Whilst some shop and office fitting employers were members of the Employers' Federation of NSW, employers in that section of the industry were unorganized. They formed the Master Shopfitters' Association during the strike and affiliated with the MBA/NSW. The new Industrial Committee had sweeping powers and issued a summons against the ASC&J for an illegal strike. Whilst the summons was dismissed on technical grounds, the Commissioner threatened to cancel the Carpenters

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<sup>106</sup> Ibid., p. 30.

<sup>107</sup> James Pringle, "The Development of Industrial Legislation, Commonwealth and State, as it affects the Building Trade", in FMBA, *Minutes of Eighteenth Convention*, October 1923, pp. 49-54.

<sup>108</sup> MBA/NSW, *Minutes of Plasterers' Employers Meeting*, 19.8.1925; MBA/NSW, *Minutes of Special Meeting with Master Plasterers*, 31.8.1925.

& Joiners (State) Award on his own motion, which encouraged the union to seek a conference. The employers remained united and the strike ended on 6 April 1927.<sup>109</sup>

The Carpenters and Joiners' dispute had not long been resolved, when crane drivers and hoist drivers were taken out on strike by the Federated Engine Drivers' and Firemen's Association of Australasia (FEDFA). The union traditionally covered crane drivers and engine drivers in industries other than building. The FEDFA in 1927 demanded an increase in excess of £2/- (\$4) and initiated strike action when the demands were rejected by the MBA/NSW. Adopting the tactics for tighter control of the employers' response that had succeeded in the Carpenters' strike, the MBA/NSW reinstated its Industrial Committee, which immediately prosecuted the FEDFA for an illegal strike and the union was fined £250 (\$500) and £10/10/- (\$21) costs.<sup>110</sup> The Under-Secretary of the Department of Labour and Industry intervened and sought to negotiate a settlement. The Industrial Committee, however, refused any discussion until the men resumed work. After an eight weeks strike, the men resumed work at the agreement rates on the proviso that the MBA/NSW would facilitate an early hearing of the union's application for an award.<sup>111</sup> The NSW Commission established a Crane Drivers' and Hoist Drivers' Award for FEDFA members 'engaged in the construction, demolition, repair and/or renovation of buildings', and also granted exclusive rights to the FEDFA to represent hoist drivers.<sup>112</sup>

## Conclusion

During the period from 1914 to 1929, the structure of the MBA/NSW became more complex. The growing urbanization of Sydney and the need for housing construction, placed pressure on the MBA/NSW to foster the development of suburban branches comprising housing builders and to find ways to accommodate the needs of its new membership. The St. George Branch was formed in June 1918 with a major objective 'being to fight the increased prices of building materials'. By 1927, a further two such branches were established and they were granted representation on MBA/NSW Committees and at general meetings, 'for

<sup>109</sup> FMBA, *Minutes of Twenty-first Convention*, November 1927 (7.11.1927), pp. 39-40.

<sup>110</sup> N. Phelps-Richards -v- Federated Engine Drivers Association of Australasia, (East Coast District)', *NSW Industrial Gazette*, 1927, vol. xxxi, no. 6, p. 1128.

<sup>111</sup> FMBA, *Minutes of Twenty-first Convention*, November 1927 (7.11.1927), pp. 40-1.

the purpose of forming Branches in other suburbs' By 1927, a further seven branches had been established including one on the North Coast and one at Deniliquin. Bickering over over-award rates during the periods of labour shortage during the period of prosperity following World War I highlighted the growing potential for internal conflict and distrust as the MBA/NSW sought to accommodate more interest groups within its structure. Fortunately for the MBA/NSW strong leadership and close co-operation between the officers of the suburban branches and the MBA/NSW prevented a breakdown in internal equilibrium in the association.

The main functions of the MBA/NSW included political lobbying and representation of members' interests before industrial tribunals. The lobbying arm of the MBA/NSW was strengthened by the success of one of its past presidents in the 1925 NSW parliamentary elections – a candidature supported by the association. Other MBA/NSW members entered the NSW Parliament, and many from among the leadership of the MBA/NSW and its suburban branches were elected to local government. Issues of concern for the MBA/NSW included demands for appropriate housing and home loans legislation and calls for the licensing of builders.

The MBA/NSW regarded the overlapping awards created by the federal and the NSW industrial jurisdictions as an important issue. The unsuccessful attempt of the Bruce conservative federal Government in 1926 to centralise the Australia's industrial relations systems created an ideological dilemma for the organisation. The tendency of the MBA/NSW to support the laissez-faire policies clashed with its longstanding support for states rights in regard to industrial relations issues. The Bruce government's later attempts to rationalize the system ultimately led to it losing office at the end of 1929.

The MBA/NSW sought to create a united front among employers in dealing with industrial disputes in the building industry. A strike by carpenters in 1927 saw the MBA/NSW form alliances with other employer associations in the establishment of a Strike Committee with sweeping powers, events that were analysed through the middle level theory adopted.

While industrial relations issues were important, the MBA/NSW continued its traditional function of ensuring fair contracts and tendering processes for its members. The

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<sup>112</sup> *NSW Industrial Gazette*, 1927, vol. xxxii, no.4, p. 1066.



day-labour practices of government bodies and instrumentalities continued to dog the MBA/NSW membership. The association tried to control the prices of bricks, timber and other building materials through, for example, encouraging the importing of timber. Further, the MBA/NSW had a policy which required its members to purchase supplies from members of its Builders Exchange branch. This created tendering difficulties due to non-members purchasing their supplies from state-owned enterprises and other cheaper sources. The MBA/NSW also developed close ties with a number of specialist contractor associations, such as the Master Painters Association of NSW and the Electrical Employers Association of NSW.

The legal costs associated with industrial arbitration before the State tribunal in 1915 and 1916 and its costs associated with opposing the federal builders' labourers' award placed a heavy drain on the finances and staff resources of the MBA/NSW. It introduced a rule in 1923 under which members added fees, based on a sliding scale, to their tenders. The successful tenderer paid the fees to the MBA/NSW as an integral part of its membership subscriptions. However, that initiative foundered when on one third of MBA/NSW members met their obligations in that regard and the rule was rescinded. The MBA/NSW expanded its membership through recruitment drives in 1919 and 1925. Also by 1925, the Association had acknowledged the need to amend its membership rules to cater for the increasing number of members forming themselves into companies. Despite its focus on membership growth, membership of the MBA/NSW and its suburban branches was jealously guarded and every application for membership subjected to close scrutiny.

Many office-bearers of the MBA/NSW and of its suburban branches led high profile lives within their respective communities – such as being aldermen on their respective local councils - from which they had gained valuable experience which they utilised within the master builder movement. The MBA/NSW actively promoted the involvement of its members in political life – for example it convened meetings to support the candidature of past president Alderman W. F. Foster who successfully contested the NSW State elections in 1925, He remained an active supporter of the MBA/NSW throughout his life. Foster assisted the Association by arranging meetings with Ministers and senior Members of Parliament and by making supportive speeches in Parliament. Former BCA/NSW member,

Lieutenant Colonel Sir Thomas Henley was another great advocate and supporter of the MBA/NSW who also extended the MBA/NSW voice to the NSW Parliament.

The MBA/NSW had, since 1905, enjoyed the stable administration of its secretary, Norman Phelps-Richards, who successfully acted as secretary to associations that also used the MBA/NSW office premises in Castlereagh Street for their meetings such as the Electrical Employers' Association of NSW, the Public Works & General Contractors' Association of NSW, the Master Plasterers' Association of NSW, the Monumental Masons' Association of NSW and British Allied Manufacturers' Association. It was an arrangement of which the MBA/NSW approved, as it encouraged cooperation and affiliation by those associations. It used a newspaper published by George Taylor as its official organ. George Taylor was a great advocate for, and mentor of, the MBA/NSW.

The MBA/NSW sought to highlight the superiority of the products produced by MBA/NSW members and thereby combat the problem of jerry-built housing. In addition, it generated interest in the issue of licensing among MBA/NSW housing builders. It was also seen as a way of limiting competition. Licensing was first raised by H. W. Thompson, the then President of the MBA/NSW, at a FMBA convention in October 1909. Whilst there was unanimity at that time on the need to protect the interests of builders, the manner in which it could be achieved varied and, further, the commercial contractors saw little value for themselves in such an initiative.

The MBA/NSW introduced a policy in 1918 designed to attract and bind suppliers and to encourage other organisations to affiliate with it. The policy required its members to purchase their supplies from members of the Builders Exchange. However, supplies from timber yards and brickworks owned by the State and by some non-members of the Builders Exchange were much cheaper. Associations representing public works contractors and painting and electrical employers each sought closer ties with the MBA/NSW and shared its support for preferential discounts and for Australian or British made materials.

Throughout its history, the MBA/NSW focused on the need to protect the rights and interest of its members in their dealings with architects and clients. A practice had developed by which tenderers on specific projects would meet informally and discuss terms under which tenders should be made and the conditions of contract that would constitute any final agreement by the winning tenderer. That practice evolved into an integral part of the

operations of the MBA/NSW in the 1920s. The results of those tender meetings were also reported to general monthly meetings of MBA/NSW members.

The failure of the MBAs to overturn the Federal Builders Labourers' Award led to overlapping awards and demands for state coverage of the building industry. The MBA/NSW regarded a proposal by the new Prime Minister of Australia, Stanley Bruce, to amend the Constitution so as to limit the role of the Federal Court as convoluted. Despite its objections, the MBA/NSW expressed disappointment when Bruce's referendum was defeated. Given the states-rights views held by the MBAs generally, the expressions of disappointment appear to have been a conflict between the MBA/NSW's ideological support for a conservative government and its ideological support for states-rights.