

hd PR

JFH

cc HO	IND	LCO
FCO	LPO	PGO
HMT	ENG	LOD
	MAFF	CO
	TRADE	
	Ch.Sec.	

BC Watson

10 DOWNING STREET

From the Private Secretary

22 October 1979

Consultations on Industrial Relations
Legislation

The Prime Minister has read your Secretary of State's minute of 19 October, and is content with what he proposes - including the draft working paper on statutory protection against SLADE-type recruitment tactics which he intends to send to the TUC and CBI.

I am sending a copy of this letter to the Private Secretaries to the members of E Committee, to Ian Maxwell (Lord Chancellor's Office), Richard Prescott (Paymaster General's Office), Bill Beckett (Law Officer's Department) and Martin Vile (Cabinet Office).

T. P. LANKESTER

Ian Fair, Esq.,
Department of Employment.

CONFIDENTIAL

JLB

cc Mr. Whitton
Mr. James

Prime Minister

This seems alright.

Content?

Yes Mr

PRIME MINISTER

CONSULTATIONS ON INDUSTRIAL RELATIONS LEGISLATION

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19/10

In accordance with yesterday's agreement in Cabinet I shall be writing to the CBI and TUC on Wednesday 24 October to invite comments on the proposal to provide legislative protection against SLADE-type recruitment tactics. I attach for your information a copy of the working paper which I shall be sending to them. This has been agreed with the Solicitor General, with whom I shall be discussing further the form a legislative provision to give effect to this proposal might take.

I shall publish the working paper on the same day and make copies available on request to others interested. I shall make clear that I aim to complete consultations on this subject in time for a final decision to be taken on the provision for inclusion in the Bill to be introduced in December.

I shall be pursuing my consultations on repeal of the Press Charter through meetings with the organisations concerned.

I am sending copies of this minute and its enclosures to other members of E Committee, the Lord Chancellor, the Paymaster General, the Solicitor General and Sir John Hunt.

Department of Employment
Caxton House
London SW1

J P
19 October 1979



WORKING PAPER FOR CONSULTATIONS ON PROPOSED INDUSTRIAL RELATIONS LEGISLATION

Statutory protection against certain trade union recruitment activities

As a result of widespread public concern at the recruitment practices of the Society of Lithographic Artists, Designers, Engravers and Process Workers (SLADE), the Government appointed Mr Andrew Leggatt QC on 7 June "to inquire into recent industrial relations developments, including in particular union recruitment activities, in the artwork, advertising and associated industries". Mr Leggatt's report was published on 17 October.

2. The report found that between 1975 and 1978 the National Graphical Association and SLADE undertook a recruitment campaign within the artwork and advertising industry, which has hitherto employed mainly non-union labour. The report is particularly critical of SLADE's activities. It found that SLADE pursued a systematic campaign of recruitment in this industry without regard to the wishes of those it was seeking to recruit. When normal methods failed, it tried to coerce employees into union membership against their will by blacking or threatening to black their employers' work at the printing houses. The employees concerned were thus faced with the stark choice of joining the union or losing their jobs because their employers had been driven out of business. Mr Leggatt comments in his report, "where employees are coerced into joining a union against the alternative of being put out of business, the union subscription is bound to look like payment for a licence to work or 'protection' money".



3. The Government believe that such recruitment activities are an abuse of industrial power, which is in conflict with the voluntary tradition and foundation of trade unionism and which will be deplored by responsible trade unionists. Such coercive tactics are damaging to the reputation of the trade union movement as a whole, in whose interests it is to see that they are not used again.

4. Mr Leggatt's report confirms that, under the law as it stands, there is often no remedy where the employees of one company take industrial action against another company for the purpose of coercing the latter's employees into membership of a particular union. This is so even where the action threatens to destroy - and may in fact destroy - the business of that company and the livelihood of its employees. The Government consider this to be an unacceptable situation.

5. The Government therefore propose that the law should be changed to provide protection against such action by enabling redress to be sought in the courts. This might be achieved in a number of different ways, for example by excluding such action from the immunity in S.13 of the Trade Union and Labour Relations Act 1974 (as amended in 1976) for inducing a breach of or interfering with a contract, or by amending the definition of "trade dispute" in S.29 of the same Act. The Government would intend to ensure that a legislative provision to afford protection against these coercive recruitment activities does not also cover disputes over recognition and demarcation and does not restrict primary action in disputes over union membership.

6. The Government would welcome views on this proposal.



19 OCT 1979

