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PREVENTING STRIKES IN ESSENTIAL SERVICES

I wonder whether I could inject a slightly tougher approach into the thinking.

I am not - and never really have been - overly impressed with the argument that there should be no strike agreements in essential services, even if they could be afforded. This is partly for reasons of equity and because I do not think they could be guaranteed to work effectively outside a disciplined service. We have seen a steady breakdown in workers' reluctance to take strike action in public services and I see no prospect of their acquiring a new moral fibre without stronger trades union leadership (which is crying for the moon) or a substantial period of low inflation.

If you accept this view it seems to me that we have to adopt an altogether more rigorous approach with the objective of discouraging (as distinct from eliminating) strikes; and that we need to adopt it sooner rather than later if we are to have a better chance of holding down the "vengeance is mine" syndrome when the economy picks up.

This is essentially to say:

- (i) there is no justification whatsoever for industrial action in our society except as a last resort;
- (ii) by the same token there is no justification for breaking agreed procedure;
- (iii) nor is there any justification for management and labour to operate without an agreed procedure; this meets the argument that if unions were required to observe procedure they wouldn't have one;
- (iv) any procedure must require a strike ballot of the workforce on questions to be agreed between management and unions; and
- (v) any industrial action in breach of procedure or in the absence of procedure is unprotected and renders company or union funds liable to civil suits.



It does not - or need not - follow from this that all procedures would end up at arbitration or with some third party. There is nothing to compel management to agree to cede the resolution of disputes to others; nor would unions necessarily want it since it would tend to emasculate them.

None of this interferes with the ultimate right to strike provided procedure is observed.

I do not see why we should run away from this approach simply because we (rightly) believe the trade unions and Labour Party would oppose it tooth and nail. Nothing upsets the public, apart from inconvenience through strikes, than failure to observe procedure and strikes which have not been sanctioned by those involved and/or are in defiance of their wishes. The test is not whether the TUC and Labour Party would oppose it after a General Election; it is whether this approach is fair, reasonable and practical.

I do not suggest this approach would necessarily lead to fewer strikes or that unions would immediately face court action. It would be very important not to oversell any such approach.

But I do not believe you can outlaw or buy off strikes in the undisciplined services or sectors of a democratic society; I am not attracted by any arrangement which draws a distinction in this matter between essential and other services - we ought to be in the business of universally promoting adherence to democratic procedure; and I do not think arbitration or indexing/<sup>would</sup>serve the aim of containing costs - only resourceful and resolute employers can do that.

In short, I advocate an unflinching approach to a more orderly industrial society which preserves basic freedoms once the legitimate interests of society have been properly served.



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