



SECRETARY OF STATE
FOR
NORTHERN IRELAND

Rt Hon Norman Tebbit MP
Secretary of State for Employment
Caxton House
Tothill Street
LONDON SW1

Norman

→ ~~CC A.D.~~

Prime Minister

(2)

NORTHERN IRELAND OFFICE
GREAT GEORGE STREET,
LONDON SW1P 3AJ

By the time this arrived I had
already recorded your broad concurrence,
subject to the views of colleagues, with
Norman Tebbit's proposals; in particular,

15 January 1982

Note I have
conveyed this to
D/Emp - M/S 18/1
Yes no

, on X, that you do not
think a further E discussion
necessary.
Content to leave Norman Tebbit to make

LEGISLATION ON INDUSTRIAL RELATIONS MATTERS

TPM The running? M/S 15/1

I have seen a copy of your minute of 12 January to the Prime Minister
in which you report on the modifications you propose, in the light
of consultations, to the further legislation on industrial relations.

I very much agree with your views on the issue of "joinder" and
the concept of "contributory fault" in closed shop cases. I also
agree with your suggested modifications in the levels of compensation
payable in such cases. On periodic review ballots, I am sure it
is right to recognise the employers' views on the interval between
reviews and on the date for the introduction of the periodic
review requirement. I am, however, less happy about the percentage
level of support required in a ballot since I fear that 80 per cent
(or 85 per cent as the case may be) is pitching it too high. I
note that the CBI was "silent on the issue", but I think we should
bear in mind particularly EEF thinking on this issue, since of all
the employers' bodies their larger member-companies would probably
be more affected than most by this proposal. Before your consult-
ations began, the EEF were only in favour of action on the closed
shop at a later date, and I do feel therefore that we need to be
a little more clear on their position subsequently.

I am concerned that you intend to go ahead with your proposal to
remove immunity from industrial action which interferes with the
performance of a commercial contract on grounds of union membership
or non-membership. We must, of course, bear in mind the wish of
the majority of employers' organisations for this proposal to be
enacted and the logic of their case. I note that you are considering
delaying the commencement order for this particular provision, but
I fear that that would be regarded as a very obvious ruse, and one
which could put us in a far more embarrassing position as soon as
the first case of trouble in the docks occurred. We cannot avoid
the grave risk inherent in what you propose and I would therefore
welcome an opportunity for further collective discussion on the
issues at stake.

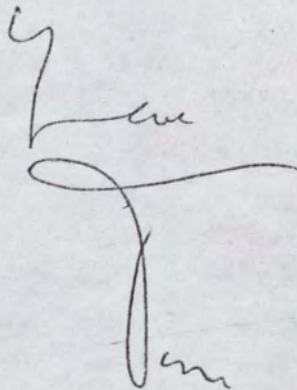
X

/...

On union immunities the modifications which you suggest to the proposals on "vicarious liability" illustrate the deep waters into which this approach will inevitably drag us. I remain sceptical of the effectiveness of this approach and am not at all sanguine about the prospects of the courts becoming involved in wrangles over the precise meaning of unions' rule-books. But I accept that your suggested modifications are probably reasonable if this is the course on which we are now firmly set.

Finally, I welcome your suggestion that some attempt be made to meet the concern of the CTU at the limits on damages and the possible effect on smaller unions.

I am sending copies of this to the Prime Minister and members of E Committee, the Chief Whip and Sir Robert Armstrong.

A handwritten signature in cursive script, appearing to be 'G. L. ...', written in dark ink.

15 JAN 1982

12 1 2 3
4 5 6 7 8 9