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cc: O. Letwin



10 DOWNING STREET

From the Private Secretary

31 May, 1984

Balance of Power in Trade Unions

The Prime Minister has seen your Secretary of State's minute of 25 May and the paper attached to it. She will want to discuss it before it is circulated more widely, and I will be in touch about a time for this. In general, her reaction was that it was too complacent about the extent to which the balance of power, particularly in the nationalised industries, has been redressed, and the extent to which the new laws have given employees effective rights to protect themselves from oppression by their union. Although the Government's policy has been to avoid putting itself in the front line, the effect has been to put individual trade union members under enormous strain.

Specifically, the Prime Minister feels that the paper does not take adequate account of recent developments in the coal dispute. For example, the codes of practice on picketing endorsed by both the TUC and the Department of Employment have been largely ignored; and intimidation has been widely used and appears to have been effective in preventing many miners from expressing their views. The Prime Minister feels, therefore, that this whole area will need to be looked at afresh in the light of the dispute.

More immediately, the Prime Minister has noted the changes which it is proposed to make to the Trade Union Bill in the House of Lords. While these move in the right direction, she has asked for your Secretary of State's views on two further suggestions. First, union members could be given a general right to register as postal voters in union elections rather than a specific right to demand a postal ballot on each occasion. Being permanently registered as a postal voter might make a member less conspicuous and less vulnerable to pressure from within the union than if he had to express an intention to vote by post in a particular election. Secondly, the principle of postal balloting in

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cases of improper practice could be applied not only to elections but also to strike votes, where there is certainly room for intimidation. Such an amendment would give the High Court powers to order a postal strike ballot in any area where there is evidence of malpractice or intimidation, and to lift immunities if the voting in that postal ballot causes a national majority against a strike.

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