

Prime Minister

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AT 8/6

SECRET

MR TURNBULL

TRADE UNION BILL: E(A) MEETING (Tuesday)

Tom King needs to have firm decisions from E(A) on four amendments. He proposes:

- a. to make union immunities in a strike dependent on backing from a majority of those voting in a ballot;
- b. to give individual members the right to opt, permanently or on a given occasion, for postal ballots in union elections; *but not to require postal ballots for all members in elections.*
- c. to give the courts power to order a postal ballot if there is evidence of malpractice in elections;
- d. to prevent employers deducting the political levy from the pay-packets of those who have 'contracted out'.

1. Majority voting. Yes. The proposed amendment may or may not be a good thing in itself: there are strong arguments both ways. But there is now the overriding consideration that Tom King's credibility depends upon the amendment being made. ~~If E(A) rejects the proposal, it will be giving the press a golden opportunity to ridicule the Government.~~

2. Permanent right to a postal ballot in union elections. Yes. Tom King has changed his mind on this, following the Prime Minister's intervention: the amendment is now thoroughly sensible.

3. Power for the court to order postal ballots in an election. Yes. It is obviously right for there to be a postal ballot if there is evidence of electoral malpractice in the workplace vote.

4. Prevention of deductions for those who opt out of the political levy. Yes. Again this is a thoroughly sensible amendment that will please our supporters.

OMISSIONS

Tom King does not, however, offer any amendment enabling individuals to obtain postal ballots in strike votes. This is disastrous, because such ballots are the

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only real protection against intimidation of the sort that we have witnessed in the miner's strike.

Despite Tom's arguments, we continue to believe that it would in principle be useful to give courts the power to order postal ballots in strike votes. But Department of Employment officials and legal experts tell us that the construction of Part II of the Bill makes it technically impossible to achieve this result in the allotted time.

We therefore suggest that the Prime Minister should argue for union members to be given a right to opt for postal ballots in strikes, just as in elections. We are told that it would be technically feasible to introduce such an amendment at this stage. The result would be to make immunities in strikes dependent upon the union obtaining a majority where it had: (a) held a proper ballot, and (b) provided a postal vote for any member who demanded one.

Tom King may well argue that giving individuals this right would delay strike ballots and make wildcat strikes more likely. But that is a less severe problem than intimidation. If the Government is serious about democracy in the unions, it should surely give individuals the right to vote in the privacy and safety of their own homes.

CONCLUSION

We recommend:

- i. that the Prime Minister should endorse all of Tom King's proposed amendments;
- ii. that she should press for union members to be given a right to postal votes in strike ballots.

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pv OLIVER LETWIN

8 June 1984

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