



DEPARTMENT OF TRANSPORT  
2 MARSHAM STREET LONDON SW1P 3EB

22 January 1982

cc: FDP  
JL  
(2)

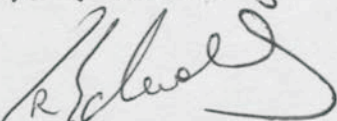
Prime Minister

Dear Private Secretary

MUS 22/1

My Secretary of State has approved these updated Notes for Guidance on the rail dispute. They should be associated with the Notes circulated last Friday.

I am sending copies of this and enclosures to the Private Secretary to the Prime Minister, the Private Secretaries to the other Members of Cabinet, the Private Secretary to the Chief Whip and Private Secretary to Sir Robert Armstrong.

Yours sincerely  


C. R. EDWARDS  
PS/Secretary of State

Keep for  
Quinn

## ASLEF DISPUTE

### SUPPLEMENTARY GUIDANCE NOTES FOR MINISTERS

#### The Argument about the Commitment to Variable Rostering

The dispute is about the future of the railway industry. The Government wants to see an efficient, cost-effective, well invested railway. The British Railways Board want to carry forward their plans for that. NUR and TSSA have made agreements for changes in working practices. The driver in his cab must also be anxious that the railways will flourish and provide good jobs with a good future. The rail user, particularly the commuter, wants to see a modern, efficient railway system providing comfortable services he can afford. Against all this are those determined to cling on to practices agreed in 1919 in the age of steam trains running over a different network.

No useful purpose is served by the argument about who said what to whom and when. The Railways Board are in no doubt that their commitment to pay the extra 3% was made because the Unions (ASLEF included) committed themselves to negotiate specific productivity changes on a clear timetable. ASLEF then negotiated on the issue until 30 November before finally saying they were not prepared to accept any relinquishment of the 8 hour day. They negotiated because there was a commitment to do so in the August agreement.

How could the Board run a modern railway on 1919 agreements? How could they keep fares down if they have to pay something for nothing?



## International Comparisons

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The Board published a study early in 1980, jointly with Leeds University, called the "Comparative Study of European Rail Performance". The Report said "BR requires more than twice as many train crew to run a freight train as the most efficient railways" and "The potential for improving BR freight train crew productivity ... is perhaps the clearest conclusion to emerge from the entire study".

It also said

- that BR staff have to attend for work 20-30% longer hours than their European counterparts. There appears to be scope for more flexible rostering arrangements;
- that electrification improves productivity. Maintenance of diesel traction requires two to three times as many staff as the corresponding electric services;
- that BR covers a higher proportion of its costs from its traffic receipts than any other railway undertaking except Sweden.

The following table compares BR with other European railways:

		Traffic Units (Passenger miles + tonne miles) per employee (thousands)
BRB		182 -
OB	Austria	162
SNCB	Belgium	168
SNCF	France	310 7
DB	West Germany	196 7
FS	Italy	167
NS	Netherlands	282 7
CFF	Switzerland	261 7
JNR	Japan	377 7



### Working Productivity

The average daily mileage worked by drivers on all trains is between 50 and 60. The figure for freight trains is about 30 and for passenger trains about 80. These figures include empty and loaded trains; it is estimated by BR that at least 10% of all train mileage is movement of empty stock.

### NUR Guards

The unofficial action by some NUR guards in support of the ASLEF drivers' stand against flexible rostering is to be condemned. It was not as serious as at one time threatened; but it provided an opportunity for the General Secretary of the NUR (Mr Weighell) to confirm, if confirmation was needed, his union's strong support for the agreements for changes in working practices to which they are committed.

### Productivity Plans

A number of jobs (38,000) will be lost on the railways under the Board's Corporate Plan up to 1985. The membership of each of the Unions will fall. The actual size of the ASLEF membership is in doubt. ASLEF claim it is 27,000 but BR and other estimates put it somewhat lower.

### BR Policy on Ticket Refunds

Refunds will be made on unused full and reduced rate tickets. In the case of season tickets, refunds will be made at the appropriate rate, or where preferred, the validity of all except weekly seasons will be extended when they are renewed. BR tickets are not valid on LT in the event of industrial action. (They are valid in the event of 'natural disasters').

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c JV.  
BT.

Prime Minister (4)



DEPARTMENT OF TRANSPORT  
2 MARSHAM STREET LONDON SW1P 3BB

please see X at plan B on tax.  
MUS 15/1  
trans

15 January 1982

MB.

Dear Private Secretary

My Secretary of State has approved the attached Guidance Notes on the rail strike which his colleagues might find helpful if questioned about the dispute.

Copies of this go to the Private Secretary to the Prime Minister, Private Secretaries to the members of the Cabinet and to the Private Secretaries to the Chief Whip and Sir Robert Armstrong.

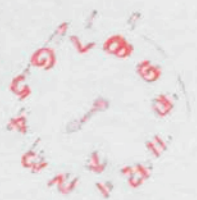
Yours sincerely

C R EDWARDS  
Private Secretary





My Secretary of State has approved the attached  
and has given you the full text which will  
allow you to file this with the  
proper authorities. I have forwarded to the  
proper authorities the copies of this and to the  
proper authorities the copies of the  
proper authorities the copies of the  
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The Government Policy for the Railways

1. The Government wants to see an efficient, cost-effective, well-invested railway.
2. The Government has:-
  - a. put more money into the railways, by raising the external finance provision in each of the last 2 years, and by putting up the Exchequer grant for passenger services in 1981 to £755m - by far the highest ever in real terms;
  - b. ruled out any substantial cuts in the passenger network;
  - c. endorsed the principle of a programme of main line electrification, based on better business performance and improved productivity;
  - d. avoided any reduction in the ceiling on investment in BR.
3. Ministers have repeatedly emphasised that more money can be found for investment by reducing current costs and increasing efficiency.
4. As recently as 22 December, the Secretary of State for Transport approved plans for electrifying the services to Ipswich, Norwich and Harwich.

The Government's Attitude to this Dispute

5. Mr David Howell, Secretary of State for Transport, has condemned the ASLEF strike as callous, self-defeating and doomed to cause point-less damage to the nation as a whole and the railway industry in particular.
6. Many railwaymen have shown great devotion to duty in keeping services going in the very bad weather. No doubt, railwaymen want to do a fair day's work for a fair day's pay, and make their contribution to raising the country's prosperity.



7. If this means negotiating changes in rules settled over 60 years ago, then that is a matter for the Railways Board and the railway unions. But the public is bound to ask why changes accepted as reasonable by the NUR for the guards at the back of the train are so totally unacceptable to ASLEF for the men in the cab at the front - and what it is that makes it necessary to inflict this misery on the travelling public.

#### What the Dispute is About

8. ASLEF have refused to honour their commitment to complete negotiations on 'variable rostering' - working shifts shorter or longer than the fixed eight hours, but all within a 39 hour week total - by 31 October 1981. As a consequence the British Railways Board have suspended, for footplate staff (drivers and their mates), their commitment to pay a further 3% from the beginning of January 1982 backdated to the beginning of August 1981.

#### The History

9. There was a unilateral reference by the Unions of their 1981 pay claims to the Railway Staff National Tribunal. The Tribunal's recommendation was not binding on the parties. The RSNT recommended an 8% increase from 20 April 1981 (the settlement date) and a further 3% from 1 August.

10. The British Railways Board offered:-

a. to implement the 8% increase in rates of pay with effect from 20 April 1981;

b. to apply a further increase of 3% in rates of pay from a date to be agreed provided there is evidence of a commitment to specified initiatives to increase productivity.

The Board's decision not to implement the further 3% from 1 August led to a breakdown in the negotiations and notice of an all-out strike by NUR and ASLEF to begin on 31 August 1981. At negotiations under the auspices of the Advisory Conciliation and Arbitration Service (ACAS), a settlement was reached under which:



- a) the unions, including ASLEF, undertook to 'endeavour to honour every aspect' of the undertaking reached on productivity which the Trade Unions had already given the Board in the form of six firm commitments with dates for completion of negotiations.
- b) the Board agreed to pay the additional 3% from January 1982 backdated to August 1981 'on the understanding that the commitments on productivity would be honoured'.

11. The specific commitment on rostering said:

"Negotiations shall take place to establish variations to the rostering agreements with a view to introducing some flexibility around the 8 hour day, but without producing unreasonable variation in the length of each working day."

This specific undertaking - among others - for changes which the Board see as vital to their plans for the future of the railways led the Board to agree to the payment of the extra 3%, as the record of the discussions shows.

12. ASLEF have since refused point blank to move from the fixed 8 hour day in subsequent negotiations.

13. The NUR have agreed to variable rostering based on a working day of between 7 and 9 hours for guards. NUR have made it clear they were prepared to accept a similar agreement for footplate staff who are members of the NUR.

14. The understanding on pay has been implemented for all BR staff who are members of the NUR and TSSA.

It has not been implemented for members of ASLEF.



## BACKGROUND

### 1. Drivers' Pay and Hours

The average weekly gross earnings of an ASLEF member is £140.

A strike on two week days loses the individual driver about £50 gross. He is not entitled to any PAYE refunds unless pay falls below the tax threshold.

A strike on a Sunday would lose the man given an opportunity to work about £36 gross.

The job of driving trains is planned in turns of 8 hours. Under an agreement of 1919 a minimum payment of 8 hours is guaranteed. The 40 hour standard week is guaranteed for payment. It consists of 5 x 8 hour turns rostered between Monday and Saturday. Night and Saturday hours are paid at higher rates as is all time worked on rest days and Sundays.

A driver's normal shift of 8 hours includes on average 4 hours a day driving loaded trains. On top of this, there is 1 hour allowed for signing on and off, reading instructions and traffic notices and checking the train is in working order. And a further  $\frac{1}{2}$  hour is added for the physical needs break. This makes a total of  $5\frac{1}{2}$  hours productive time in an 8 hour turn.

The average daily mileage worked by drivers on all trains is between 50 and 60. The figure for freight trains is about 30.

### 2. The 39 Hour Week

In 1980, BR agreed to move to a 39 hour week in 1981. In the 1981 pay negotiations, this was deferred to January 1982. BR need new rostering arrangements to fit the 39 hour week. They have suspended introduction of the 39 hour week for ASLEF footplate staff until ASLEF signed up on the productivity agreements.

### 3. Variable Rostering

The Railways Board want to plan driving work in turns of varying



length, between 7 hours to 9 hours. This has been agreed for guards (members of the NUR).

For the Board this would provide more effective use of paid time by drivers, by allowing extra trips to be made on 9 hour days, and fewer unproductive hours on 7 hour days.

BR say that the new arrangements would also have advantages for drivers. The incidence of unsocial booking on and off time can be lessened. More individual days clear of duty could be rostered.

The arrangements proposed by BR for ASLEF are operated successfully and are normal practice on most European national railway systems. Indeed in a number of countries, the variations in hours per shift are in many cases greater than that proposed by British Rail.

#### 4. The Negotiating Structure

The negotiation machinery in British Rail works at local, regional and national level. At national level the Railway Staff Joint Council (RSJC) is divided into 4 sections. One for salaried staff; one for locomotive; one for traffic and one for general issues covering all staff. The discussions on variable shifts for locomotive staff have been taking place in the RSJC (Loco). The top negotiating national body is the Rail Staff National Council (RSNC) which considers major issues as to standard conditions of service referred from RSJC.

Major issues on which the RSNC cannot reach agreement may be referred by any party for decision by the Railway Staff National Tribunal (RSNT). Decisions of the RSNT are only binding if both parties give prior indication that this is their joint intention.

The present dispute has not been referred by the RSJC to the RSNC.



4. Trade Union Membership

National Union of Railwaymen - Total membership on British Rail is between 120,000 and 130,000. Bulk of membership comprised of signalmen, guards, ticket collects, permanent way staff, but has about 1,600 foot-platemens.

Transport Salaried Staff Association - Total membership on BR about 50,000. Caters solely for salaried staff in transport and travel.

Associated Society of Locomotive Engineers and Firemen - Total membership on BR something over 20,000. Drivers, secondmen and trainees.

5. Government Advice

Rail strikes disrupt commuter travel, particularly in London. Sensible steps can minimise the damaging effects on the commercial life of the country and the personal inconvenience.

"Only travel if you must especially into London, and use alternative public transport when you can."

"If you must drive to work, share your car and your costs."

"Look out for the advertisements of car sharing agencies."

"If car share cannot be arranged, give free lifts."

"Stagger your hours if you can, preferably by starting early."

The Metropolitan Police are making special arrangements to keep traffic moving and to facilitate car parking. If the industrial action persists there are other measures which can be taken to ease the flow of traffic.