



DEPARTMENT OF TRANSPORT
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Prime Minister 2

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Willie Rickett Esq
Private Secretary to
the Prime Minister
10 Downing Street
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6 July 1982

Dear Willie,

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ASLEF STRIKE

You told me that at Prime Minister's Questions this afternoon Mr Foot made several references to an offer made by the British Rail Board on 25 June.

The substantive offer to ASLEF to test both ASLEF's proposals and the Board's flexible rosters was made in a letter dated 23 June. It was followed up by a letter dated 25 June which clarified points raised by ASLEF on the letter of 23 June. I attach copies of both letters.

If read out of context both letters could lead to concern. The essential point the Board have maintained throughout is that their proposal of 23 June was made on the understanding that ASLEF had first to accept both the principle and practice of flexible rostering. This was the foundation of the Board's offer before the strike was called and remains the fundamental requirement should ASLEF call off the strike and ask for detailed discussions about the implementation of flexible rosters.

Given all the comings and goings we have now produced our own internal history of the events of the last ten days. We have cleared it with the British Rail Board and you might find it helpful to have a copy of it.

Yours,
Anthony

R A J MAYER
Private Secretary

BRIEFING NOTE

BR'S DISPUTE WITH ASLEF ABOUT FLEXIBLE ROSTERING

1. In August last year, ASLEF agreed to negotiate flexible rosters by the end of October. They failed to do so. When BR insisted on withholding the extra 3% of pay that had been awarded, ASLEF organised one-day strikes in January and February over 17 days. In February an ACAS Committee of Inquiry, under the chairmanship of Lord McCarthy, recommended that this issue should be put to the Railway Staff National Tribunal (RSNT), through the normal railway negotiating machinery, and to a strict timetable. The Railways Board accepted the recommendation. The RSNT, also chaired by Lord McCarthy, said in their report, published in May, that ASLEF should accept flexible rostering subject to the Board agreeing a series of safeguards and criteria; the Board agreed to these but ASLEF refused to accept the Tribunal's verdict.

2. On 28 May, the Board told ASLEF that, failing agreement, they would find it necessary to impose flexible rosters. They said that as they were completed, flexible rosters would be made available for discussion at the depots.

3. On 22 June, at a meeting of the Railway Staff National Council (RSNC) the Railways Board offered; and confirmed this in a letter from the Board on 23 June, that they would be prepared to make progress with three outstanding productivity initiatives, including flexible rostering, through a series of experiments. The intention was to implement flexible rostering in seventeen depots in Scotland, but to allow trial of an alternative ASLEF proposal in a significant part of the railway. The Board would judge the results within the following criteria:-

a. implementation of the 39 hour working week at minimum cost.

b. arrangements compatible with the introduction of the Trainmen concept.

c. The Board made this offer at the meeting of RSNC because, having decided to attempt to move the NUR forward on productivity and offer a experiment in relation to the Bedford/St Pancras Line, they felt they should also try to help ASLEF to accept flexible rostering without complete loss of dignity. The unions were told, later, that a reply was required by the evening of 30 June.

4. It had always been understood, from the time that the Board announced its intention to impose flexible rostering as recommended by the RSNT, that the new rosters would come into effect as and when they became available from the beginning of July. The Board wrote formally to ASLEF on 25 June to say that the new rosters which had been made available to the first 31 depots would be implemented with effect from 5 July.

5. ASLEF's only response was to tell Mr Rose, by phone, about 5.30 pm on 29 June that they were calling an all-out strike from midnight on 3 July. They were not prepared to accept flexible rostering and they were not prepared, as the Board had previously threatened, to allow their drivers individually to be sent home as they refused to work to such rosters.

6. ASLEF subsequently told Mr Murray, the General Secretary of the TUC, that they had not considered the Board's letter of 23 June until 30 June, and after they had done so, they told Mr Murray, and subsequently ACAS on the following day, that they were prepared to discuss the Board's offer. They have not made any direct response to the Board. But the message to them, through the TUC and ACAS, was that if the Board withdrew its intention of implementing new rosters at the 31 depots on 5 July, then ASLEF would call off their strike and seek authority from a recalled delegate conference to enter into trials, including flexible rostering.

7. The Board have reconsidered their whole approach, in the light of the strike call and these messages from ACAS, and have determined that:

- a. they will not enter into any discussions with ASLEF until the strike has been called off;
- b. the ASLEF must accept flexible rosters and the RSNT decision, and agree to recommend their acceptance to a recalled delegate conference - to be arranged as soon as possible - and get a positive agreement from them to these recommendations; and
- c. the ASLEF Executive must agree, by the evening of Saturday 3 July, precisely how the Board's proposals on flexible rostering should be implemented in the 17 depots in Scotland by the end of July.

Only if all these three conditions are fulfilled will the Board be prepared to discuss the trial of the ASLEF proposals, as offered in the letter of 23 June from the Board and to defer their intention to impose the flexible rosters at 31 depots from 5 July.

8. The Board have specifically refused to talk with ASLEF before a strike is called off because, in their firm view, all experience demonstrates that the Board ought not to rely on further assurances without positive evidence that, on this occasion, the ASLEF are really determined to deliver. It is clear to the Board that ASLEF's strike call on Tuesday, before they even considered the letter from the Board the following day, was a deliberate tactic to give them an additional bargaining lever. The Board are not prepared to tolerate this.

9. The Government remain determined that the Board must secure productivity improvements. They back the Board fully in their present efforts, with the rail unions, the TUC and ACAS to secure early delivery of the commitments already made and paid for.

Department of Transport

5 July

R.H. WILCOX, CBE.,
DIRECTOR, INDUSTRIAL RELATIONS

T.H. Jenkins, Esq., CBE.,
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25 June, 1982
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Dear Sir,

PAY AND PRODUCTIVITY NEGOTIATIONS 1982

At the meeting of the RSMC today the ASLEAF representatives sought clarification of some aspects of the paper which accompanied the Board's letter dated 23 June and which described the Board's requirements in three of the six productivity items outstanding from the 1981 pay agreement.

It was agreed by the Board's representatives at the RSMC meeting that the ASLEAF proposal under the heading of "Flexible Rosters" should have the words "within existing national agreements" added. This has been done and an amended paper is attached to this letter.

The Board also confirm what was said at the meeting that should agreement be reached with the Trade Unions to test both the ASLEAF and the Board's proposals concerning flexible rosters then the Board would withdraw the existing instructions to Managers that flexible rosters would be implemented at Depots in the near future in accordance with the principles of RSNT Decision 77.

The Minutes of the RSMC meeting will also include the Board's statement that they envisage an area north of the Clyde in the Scottish Region (but excluding the PTE) as being appropriate for the testing of their proposals.

Yours faithfully,

(Signed): R.H. WILCOX.

R.H. WILCOX

Enclosure:

* A number will be ready for implementation on 4 July, 1982.

1. FLEXIBLE ROSTERS

The Board's objective is to introduce flexible rostering based on the RSNT Decision 77.

An alternative ASLE&F proposal made at the RSNC meeting on 22 June is that in a significant part of the railway they believe that by careful review of the work allocation, and the concentration of more work into programmes, links and rosters, there could be staff savings to cover the introduction of the 39 hour week at minimal cost and to produce productivity improvements to match the Board's flexible rostering proposals but in accordance with existing national agreements.

The Board are prepared to test these proposals in a substantial geographical area but will judge the results within the following criteria:-

- (a) Implementation of the 39 hour working week at minimum cost.
- (b) Arrangements compatible with the introduction of Trainmen concept.
- (c) Better effective working time.

The Board require, however, as a condition a concurrent application also covering a substantial geographical area, of its flexible rostering proposals, including the single manning of up to 9 hours. These arrangements to commence by 31 July and to be reviewed within three months.

2.

ST. PANCRAS/MOORGATE-BEDFORD ELECTRIFICATION

The Board seek to introduce driver only operation on the proposed Midland suburban electrified services.

The NUR have countered by proposing the operation of this service on the basis of the open station concept, with the elimination of barrier staff but with retention of Guards with an increased commercial role, supplemented as necessary by Assistant Fare Collectors on peak services.

In order to confirm the technical and operational feasibility of the driver only arrangements and to test the merits of the NUR proposals, the Board is prepared to introduce the electric train service between St. Pancras and Bedford, on the following basis:-

/Continued

- (a) Driver only operation between St. Pancras/
Moorgate-St. Albans.
- (b) Open station concept between St. Albans
and Bedford.

Training of staff to commence immediately to achieve implementation of the public timetable on 4 October, 1982. All principles and detailed working arrangements to be agreed at RSJC (Traffic) and RSJC (Locomotive) by 30 July, 1982.

The experiments to operate for a period of three months and to continue during subsequent joint review discussions pending agreement on the permanent arrangements.

3.

MANNING OF FREIGHT TRAINS

Confirmation by the NUR to the introduction of three pilot schemes to test the validity of the Board's proposals for driver only operation of some freight trains.

All principles and detailed working arrangements to be agreed by 30 July 1982 at RSJC (Traffic) and RSJC (Locomotive), including agreement of the specific trains which will operate under driver only conditions within the three service groups.

BRB HQ,
Euston.

25 June, 1982

(24)

R.H. WILCOX, OBE.,
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Dear Sir,

PAY AND PRODUCTIVITY NEGOTIATIONS 1982

As promised at the RSNC meeting held yesterday, enclosed is a paper which sets out the Board's requirements on the progression of those three outstanding productivity initiatives which have become major obstacles to progress.

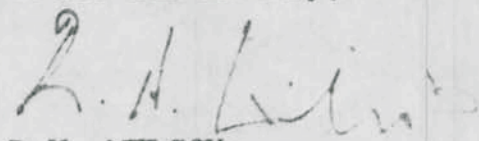
The experiments proposed would be on a similar basis to those already existing for 'Open Station Concept' pilot schemes in that there would be no permanent displacement of staff and earnings would be protected during the trial periods. Any temporarily displaced staff would be used to best advantage.

I have to remind you that this still leaves us with the 'Trainmans Concept' and 'Manning Conditions' to be progressed before 30 July in the terms of our pay offer.

I must stress that this still remains our position.

The co-operation and support of the Trade Union leadership would be an essential requirement and the Board would also similarly undertake to give maximum support and effort, to ensure that the experiments, whether on the basis of the Board's or the Unions' proposals, are given a fair and reasonable trial.

Yours faithfully,


R.H. WILCOX

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BRHQ
Euston

23 June 1982

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SECRETARY OF STATE FOR TRANSPORT INTERVIEWED ON ITN WORLD AT ONE ON
TUESDAY 6 JULY 1982

Glyn Mathias: Mr. Howell, to what extent are you encouraged by developments this morning? It appears that some more ASLEF workers are turning up for work.

Mr. Howell: Well obviously there is some encouragement there. I think the numbers are still small and we'll have to see how things develop but it is good that members of the ASLEF Union as opposed to the Executive are prepared to put their consideration of their own future and the railways first and come to work. I gather some are coming to work and actually working the new flexible hours as well so this brings home really how unnecessary, what an unnecessary ASLEF imposed tragedy this strike is.

Glyn Mathias: Nevertheless, it would be an exaggeration yet to talk about any sign of the strike crumbling. How long do you think you are prepared to see it go on?

Mr. Howell: Well I think the British Rail Board are absolutely determined to settle this matter and get modern work practices. They're used in every other rail system in Europe almost except one and I think British Rail believe that they cannot go on with this endless fudging and endless talking and that they have to get the flexible rosters accepted in principle and in practice and in detail, and I believe they should be supported in that effort.

Glyn Mathias: Even if that means the death of ASLEF. Some of your backbenchers in the Commons yesterday said they would welcome the death of ASLEF. Would you welcome the death of ASLEF?

Mr. Howell: Well I don't think it's right to talk in those dramatic terms. The aim is to get the railway system of this nation running with modern work practices, using the new equipment that is already there available in the best possible way. That is what we must keep as the aim and that's British Rail's aim.

Glyn Mathias: But how long is the Government prepared to stand aside and let the strike go on?

Mr. Howell: Well really the decision of the future of the railway system almost, certainly the future of a decent railway system lies in the hands of the ASLEF Executive. They're the ones who call down upon the heads of the public and the commuters and the taxpayers - the commuters particularly having a very rough time - they call down on the heads of these people the strike decision. Now if they were able to lift the strike and come and discuss how to put in the flexible rosters that some of their members apparently are willing to work. I don't believe there's all that resistance down the line once you talk to the engine drivers, then we would see the end of this matter and we would see the beginnings of a recovery for the railway system. So it really is in the hands of ASLEF rather than any intervening, as you call it from outside.

Glyn Mathias: There's no sign of that happening at the moment and the British Rail Board will soon have to decide whether to close down the whole network. Now that will penalise other rail workers, it will penalise the travelling public. Are you prepared to stand aside and let that happen and go on indefinitely?

Mr. Howell: Well again I think there are some difficult decisions ahead but if NUR men were to lose their jobs it would be because ASLEF had so dictated. If there is to be a contraction of the railway system, if there's to be more loss of money it will be because the ASLEF Executive have so dictated by calling this unnecessary and tragic strike so it really is within their power and in their hands to lift the strike and that is what I think their members who are coming to work are indicating that they want to see happen.

Glyn Mathias: And a smaller rail network at the end of it if there isn't a speedy end to the strike?

Mr. Howell: Well that's the danger. Every day that goes by, money is pouring out and no money is coming in or very little money is coming in and that is the price that ASLEF are exacting from the public and from their fellow workers on the railway system.

Glyn Mathias: Mr. Howell, thank you very much.