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David Barclay Esq
Private Secretary
10 Downing Street
LONDON SW1

21. August 1984

Dear David,

I spoke to you and to the Private Secretaries to the Ministers most closely involved last night to give them the bare bones of the National Dock Labour Board's decision on the unloading of coal by ISTC members at Hunterston.

As I told you the National Dock Labour Board will be conveying their decision in a letter to the local board for the West of Scotland which first referred to the National Board the question of whether unloading ("free grabbing") of coal at Hunterston by ISTC members without registered dockworkers present was a breach of the dock labour scheme. The outline of the letter, as we currently have it, is as follows:

"The 1980 Order / NB this is the statutory instrument which included Hunterston in the dock labour scheme 7 specifies that at Hunterston the handling of ore and coal for BSC is dock work with the exception of the manning of the unloader cranes and the stockyard which are carried out by the members of the ISTC.

The industrial agreement of 3 November 1979 is silent on the term "free grabbing" nor does this term appear in the 16 May 1984 industrial agreement, although in any event this 1984 agreement cannot vary the 1980 Order.

From this the Board regrets it is unable to answer the question that you have referred".

I am copying this to the Private Secretaries to members of MISC 101.

Yours sincerely
David Normington.

D J NORMINGTON
Principal Private
Secretary

21 AUG 1984

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DOCK LABOUR BOARD RULING

THE NATIONAL DOCK LABOUR BOARD RULED TODAY IN FAVOUR OF THE TRANSPORT UNION IN ITS DISPUTE WITH BRITISH STEEL OVER WHO SHOULD UNLOAD IMPORTED COKING COAL AT HUNTERSTON, Ayrshire.

AFTER THE DECISION THE THREAT OF A SECOND NATIONAL DOCK'S STRIKE REMAINED IN THE BALANCE AS BRITISH STEEL DECIDED WHAT TO DO, WRITES THE PRESS ASSOCIATION CHIEF INDUSTRIAL CORRESPONDENT.

THE DISPUTE CENTRES AROUND 95,000 TONNES OF COKING COAL URGENTLY NEEDED AT THE RAVENSCRAIG STEELWORKS IN SCOTLAND.

B. S. C WANTED STEELWORKERS TO UNLOAD THE COAL FROM THE LIBERIAN REGISTERED OSTIA. DOCKERS HAVE REFUSED TO HANDLE IT.

BUT THE NATIONAL DOCK LABOUR BOARD IN LONDON DECIDED THERE WAS NO PROVISION WHICH WOULD ALLOW STEELMEN AT THE HUNTERSTON TERMINAL TO UNLOAD A FOREIGN COAL.

A SPOKESMAN FOR B. S. C LATER SAID IT WOULD BE CONSIDERING THE POSITION.

B. S. C HAS A STARK CHOICE BETWEEN UNLOADING THE BULK CARRIER WITHOUT THE CONSENT OF THE DOCKERS, OR TAKING THE TRANSPORT AND GENERAL WORKERS' UNION TO COURT.

MR JOHN CONNOLLY, THE T. G. W. U'S NATIONAL DOCKS OFFICER, SAID THE POSSIBILITY OF A NATIONAL DOCK STRIKE HAD RECEDED BECAUSE OF THE BOARD'S RULING.

BUT HE SAID EVERYTHING DEPENDED ON B.S.C.

IF ANY ATTEMPT WERE MADE EVEN TO BERTH THE CARGO VESSEL THE NATIONAL DOCKS AND WATERWAYS COMMITTEE WOULD BE CONVENED WITH A VIEW TO CALLING A NATIONAL DOCKS STRIKE.

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[Handwritten initials]

D M Barclay Esq
Prime Minister's Office
10 Downing Street
LONDON SW1

20 July 1984

Dear David,

DOCKS

Enclosed is a copy of the Press Statement issued by ACAS this morning.

- 2. Also enclosed is a copy of the assurances on which the TGWU is pledged to recommend a return to work at ^{the} meetings of the National Committee, and probably a lay delegates meeting, tomorrow.
- 3. The terms of the assurances are wholly confidential to the parties until 12 noon tomorrow. They must not be disclosed or commented upon. Leaks might make the union leaders' task more difficult.
- 4. The assurances give no hostages to fortune; the employers are well content with them.
- 5. I am copying this to Peter Gregson (Cabinet Office).

*Yours,
Douglas*

D B SMITH

Press Statement
(Public)

NATIONAL DOCK STRIKE

Arising from discussions held at the offices of ACAS on 19 and 20 July assurances have been exchanged between both sides of the National Joint Council for the Port Transport Industry as a result of which the union side will be convening a meeting of the TGWU National Docks and Waterways Committee on Saturday 21 July with a view to recommending a resumption of work.

6.30am. 20/7/84

Assurances
(Confidential until 12 noon Saturday)

1. The Trade Unions state that they are not seeking an industrial agreement but an assurance in respect of Clause 10 of the Scheme which concerns the use of non-registered labour.
2. Where there is a need for the use of non-registered labour on dock work under the Dock Labour Scheme the employer must apply through the local board manager for consideration by the local Dock Labour Board which will approve or reject the application.
3. The NJC confirms that, provided the above procedure (at clause 2 is followed, it will ensure that no intentional breach of Clause 10 will occur.
4. NAPE confirms and will so remind its members that they should carry out their obligations under Clause 10 of the Dock Labour Scheme.
5. The NJC agrees that interpretation of the procedure set out in paragraph 2 above is a matter for the local Dock Labour Boards.