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SECRETARY OF STATE FOR ENERGY

THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ

01 211 6402

David Norgrove Esq
Private Secretary to
The Prime Minister
10 Downing Street
LONDON
SW1A 2AA

16 September 1987

Dear David,

BC/NUM INDUSTRIAL RELATIONS

As promised I attach a note giving our latest assessment of the negotiations between British Coal and the NUM.

Yours,

Stephen Luff

pp S HADDRILL
Principal Private Secretary



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BC INDUSTRIAL RELATIONS
PROGRESS TO RESOLVE DISPUTE WITH NUM

The Department's note of 9 September ^{at flap} reported that BC were to meet with the NUM on Monday 14 September with the aim of resolving the dispute over the Disciplinary Code. They were also meeting the UDM on 11 September.

At the meeting with the UDM, the union made clear to BC their concern that the Corporation would make more concessions to the NUM over the Code. They also asked for and received assurances from BC that their members would be given management support for normal working. Sir Robert Haslam fully recognises the need to preserve the UDM's position.

After protracted talks with the NUM Executive on Monday 14th there is one outstanding point of dispute over the Code between BC and the NUM. The NUM are seeking a return to the old system of referring management decisions on dismissals to a pit umpire, agreed by the union, for binding arbitration. The basis of that system was that if the umpire found against the miner, the union supported him no further. The NUM are particularly concerned about the length of time taken in the normal industrial tribunal and subsequent appeal system, and at the end of the day there is no guarantee that the person will be taken back into his old job. In this context the NUM claim that the Code provides a charter for BC to get rid of union activists.

During the discussion with the NUM Sir Robert Haslam made three points:

- i) BC were totally unwilling to return to the old umpire system for disciplinary matters (a system opposed by the UDM);

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ii) BC stood by their undertaking that if an industrial tribunal recommended that a dismissed mineworker should continue to be employed, British Coal would provide similar employment at a suitable location, or the man could opt for compensation; and

iii) within 2 days, BC would put together a proposal for "fast track" procedure to moderate the delay of the industrial tribunal system.

The NUM expressed disappointment at BC's reply and arranged to see ACAS on 15 September.

Following the NUM's request on Monday to meet ACAS, ACAS asked BC for confirmation of their position. BC said they could go no further than the position outlined to the NUM and advised ACAS to talk to the UDM before meeting the NUM. ACAS did so, simply to report the current position. ACAS then met with the NUM in the morning of 15 September. The NUM questioned the "fast track" mechanism which had been proposed by Sir Robert Haslam, which ACAS had believed was an alternative procedure to the industrial tribunal system for considering dismissal cases. ACAS therefore adjourned the meeting with the NUM to seek clarification from BC. The Chairman told them that they were not proposing any different procedure from the industrial tribunal system: BC were merely looking at the possibility of speeding up those proceedings, (although BC recognised there may be little scope for this). Upon hearing this from ACAS, the NUM asked to adjourn and then walked out of the ACAS discussions.

Immediately following the walkout Mr Scargill said in a press statement that the national overtime ban from 21 September would go ahead. He claimed to have made significant concessions by offering to accept binding arbitration. (In reality these "concessions" amount to no more than was the practice under the

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old umpire system).

Mr Kevan Hunt later confirmed to the UDM that there was no change in BC's position, which was a relief to the union. There are no plans for any more meetings this week.

SITUATION IN YORKSHIRE

Although the unofficial overtime ban in Yorkshire began on 14 September in support of Mr Scott (the NUM Branch official dismissed from Shillingfleet), it has had little effect so far. A number of branches had in any case elected not to take part over the Scott case.

Department of Energy

16 September 1987

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Nat Industries: Coal, Pr2



Chairman: you should be aware of this

David Brandley
6/4

pa with pps 6
do with mines
over the bar

15th September, 1987

Dear Mr Scargill,

You will appreciate the reason for anonymity but you will be interested to know that there has been collusion between the officials of British Coal and 10, Downing Street on the parameters of what can be agreed between the parties to the current dispute. The objective is to bring about a position whereby "reasons" can be given for a further round of pit closures in order to make the coal industry ostensibly more "profitable" as a prelude to privatisation.

A CIVIL SERVANT.

The President, The National Union of Mineworkers.

Copies to:-

- ✓ British Coal.
- 10, Downing Street.

15/9

Nat (no) Coral