

**Industrial relations handbook : An account of the organisation of employers and workpeople in Great Britain; collective bargaining and joint negotiating machinery; conciliation and arbitration; and statutory regulation of wages in certain industries.**

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MINISTRY OF LABOUR AND NATIONAL SERVICE

# Industrial Relations Handbook

LONDON  
HIS MAJESTY'S STATIONERY OFFICE

1944

(Reprinted, 1947)

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OF LABOUR AND NATIONAL SERVICE

# INDUSTRIAL RELATIONS HANDBOOK

An Account of the Organisation of Employers and  
Workpeople in Great Britain; Collective Bargaining  
and Joint Negotiating Machinery; Conciliation and  
Arbitration ; and Statutory Regulation of Wages  
in Certain Industries

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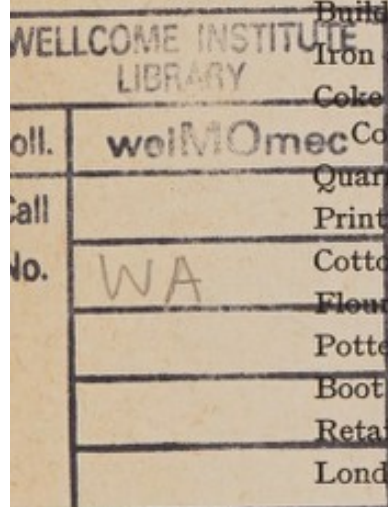
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# INDUSTRIAL RELATIONS HANDBOOK

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## PREFATORY NOTE

This Handbook was prepared originally for the use of Officers of the Ministry of Labour and National Service. It is now issued for general publication in the belief that the information contained in it will be of wider interest, particularly to employers' organisations and trade unions.

While the Handbook largely consists of a description of legislation affecting industrial relations it is important to recognise that the main responsibility for the regulation of wages and conditions of employment rests with the joint voluntary machinery established by employers' organisations and trade unions. Collective bargaining between employers and workpeople has for many years been recognised in this country as the method best adapted to the needs of industry, and to the demands of the national character, in the settlement of wages and conditions of employment. Although collective bargaining has thus become established as an integral part of the industrial system it has discharged its important function on the whole so smoothly and so unobtrusively that the extent of its influence is apt to be under-estimated. It has produced a highly co-ordinated system of agreed working arrangements affecting in the aggregate large numbers of workpeople and defining, often with great precision, almost every aspect of industrial relations. No attempt is made in this Handbook to give a detailed description of these arrangements which are embodied in a vast number of collective agreements representing in many industries the result of prolonged and continuous development. The object has been to illustrate the variety of methods which have been adopted, and to explain how this system of collective agreements is supplemented by statutory wage fixing machinery in certain industries, and by legislation which provides for inquiry into the causes of trade disputes and for arbitration.

Ministry of Labour and National Service.

September, 1944.



## MINISTRY OF LABOUR AND NATIONAL SERVICE



## INDUSTRIAL RELATIONS HANDBOOK

## Section I

ORGANISATION OF EMPLOYERS AND  
WORKPEOPLE

## HISTORICAL AND LEGISLATIVE DEVELOPMENT.

1. No appreciation of industrial relations in Great Britain is complete unless something is known of the historical background. Unlike the position in many countries abroad, the relations between employers' and workers' organisations have been developed on a voluntary basis over many years. For more than seventy years the State has recognised "collective bargaining" as a means of settling wages and working conditions and more recently has actively encouraged the establishment of joint agreed machinery in industry for the avoidance of disputes. This system of self-government in industry has been a tree of slow growth and it is still extending its branches. It relies for its strength mainly on the organisation of employers and workers into voluntary bodies which are competent to represent their members.

2. Organisation of employers and workers grew with the development of modern industry from the eighteenth century onwards.

In the sixteenth century the State had regulated wages and conditions of labour, and even earlier there were Acts of Parliament providing for the fixing of wages by the Justices of the Peace. At the same time the State prohibited combinations of workers to raise wages or to interfere in any other way with labour conditions. Combinations of employers for altering wages and conditions were also prohibited.

This State system of regulation fell into disuse with the growing complexity of industry and the division of labour and wages, and conditions were left to be fixed by the employer. Further legislation was, however, passed during the eighteenth century prohibiting combinations in one trade after another. The Courts, too, gave numerous judgments against the combinations of workpeople, both in virtue of this legislation and because they held that such combinations were in restraint of trade and therefore illegal at common law. Finally, the Combination Acts of 1799-1800 provided for a general prohibition of combinations in all trades.

3. During the economic depression after the Napoleonic Wars there was a movement to improve conditions of workers and, following the report of a Parliamentary Committee of Inquiry which



sat in 1824, an Act—the Combination Laws Repeal Act of 1824—was passed to legalise trade societies. This Act provided that workmen or others entering into combination for the purpose of regulating wages and conditions of labour should not be subject to proceedings for conspiracy or otherwise.

The immunity thus granted led to the widespread formation of unions; at the same time demands for improved working conditions were followed by disputes and strikes.

4. Agitation for the re-enactment of the legislation against combination followed and another inquiry took place following which the Combination Laws Repeal Act Amendment Act, 1825, was passed. This did not confer the same degree of freedom as its predecessor of 1824 and limitation upon the activities of the trade societies made it difficult for them to take effective action without transgressing the law. This Act did, however, legalise the right to withhold labour by collective action and this right has not subsequently been withdrawn despite many variations in the powers allowed to Trade Unions.

The new position immediately resulted in a great expansion of union organisation and the conception of one big Union with a political bias emerged. Later, however, there was a concentration upon industrial betterment through stronger, if smaller, organisations whose aims were confined to obtaining recognition and securing improvement in wages and working conditions. The leaders of the more important of these societies formed themselves into a combined authority which tended to adopt a common policy.

5. Strikes were frequent during the period 1825 to 1871 and from time to time were accompanied by violence. One outbreak in 1867 resulted in the appointment of a Royal Commission to review the whole position of Trade Unionism, and the recommendations of this Commission made in 1869 resulted in the passing of two important Acts in 1871. One of these measures, the Trade Union Act, 1871, is the principal Act on which the present day status of Trade Unions is based. There have been many subsequent Acts, supported by a large body of case law, and the law has not been codified. The circumstances and effect of the chief legislative measures are, however, summarised in the following paragraphs.

#### **Trade Union Act, 1871.**

6. Under the Trade Union Act, 1871, Unions were no longer illegal at common law because of their purpose in restraint of trade. Registration with the Registrar of Friendly Societies, which was provided for in the Act, gave certain advantages, regarding the holding of property and other matters, to any Union which so registered, provided its aims were lawful. The Act excluded from the jurisdiction of the Courts the direct enforcement of agreements relating to the domestic affairs of Unions whose purposes were in restraint of trade, and agreements between any two such Unions. This provision did not affect the enforceability of agree-



ments made by Trade Unions which were not in restraint of trade (see the Osborne case, paragraph 13 below).

### **Criminal Law Amendment Act, 1871.**

7. The freedom of combination conferred by the Trade Union Act, 1871 was, however, qualified by the Criminal Law Amendment Act, 1871, which imposed severe restrictions upon many of the acts then associated with trade combinations. Under this Act violence, threats, intimidation, molestation and obstruction of any person in order to coerce him for trade purposes, were subject to severe penalties.

### **Conspiracy and Protection of Property Act, 1875.**

8. Widespread agitation amongst the workers followed the Criminal Law Amendment Act, 1871, and a Royal Commission was set up to make recommendations upon the situation. As a result of its report the Criminal Law Amendment Act was repealed and its place was taken by the Conspiracy and Protection of Property Act, 1875, which permitted peaceful picketing and excluded any agreement or combination to take any action in furtherance of a trade dispute from indictment as a conspiracy, unless such action by an individual would have been punishable as a crime. The relationship between employers and combinations of workmen thus became a purely civil relationship between equal parties. This legislation further defined the position of Trade Unions at law and endowed them with a considerable measure of freedom in respect of action connected with industrial disputes.

The Conspiracy and Protection of Property Act, 1875, also provided that a person employed in a Gas or Water Supply undertaking who breaks his contract knowing that his action, either alone or in combination with others, will deprive the consumers of their supply, is liable to prosecution. (This provision was later extended to Electricity undertakings under the Electricity (Supply) Act, 1919.)

The Act of 1875 contained the further provision that a person breaking a contract of service knowing that the probable consequences of so doing, either alone or in combination with others, will be to endanger human life or cause serious bodily injury, or expose valuable property to destruction or serious injury, is liable to be prosecuted. This section of the Act was extended in the Trade Disputes and Trade Unions Act, 1927, which provided that any person employed by a local or other public authority who wilfully breaks a contract of service with that authority, knowing that the probable consequence will be to cause injury or danger or grave inconvenience to the community, is liable to prosecution.

### **Employers and Workmen Act, 1875.**

9. This Act dealt with disputes between employers and workmen arising out of breaches of contract. It allowed Courts to adjust claims for wages or damages and to order the performance of a



contract in place of either the whole or part of the damages which would otherwise have been awarded. Under this Act, a dispute between an employer and a workman has been held to cover a claim by an employer against a workman for damages for absenting himself from work contrary to the terms of his contract.

### **Trade Union Act Amendment Act, 1876—Definition of Trade Union.**

10. The Trade Union Act Amendment Act, 1876, amended a definition of Trade Unions which had been given in the Act of 1871. The amended definition was that the term Trade Union meant "any combination, whether temporary or permanent, for regulating the relations between workmen and masters, or between workmen and workmen, or between masters and masters, or for imposing restrictive conditions on the conduct of any trade or business, whether such combination would or would not, if the principal Act [the Trade Union Act, 1871], had not been passed, have been deemed to be an unlawful combination by reason of some one or more of its purposes being in restraint of trade." (This definition was later amended by the Trade Union Act, 1913, which provided that the above objects together with the provision of benefits to members must be the *principal* objects of the combination.)

It will be seen from the above definition that a Trade Union in its legal sense, as distinct from ordinary usage, applies to combinations either of employers or workers.

11. A period of trade depression followed the year 1875 and lasted for almost twenty years. During this period Trade Unionism lost some of its strength. Strikes were common and were almost invariably unsuccessful. The Unions confined themselves mainly to establishing such relations with employers as would ensure the maximum benefit in wages and working conditions to the workers.

When this phase passed, a new unionism arose with a tendency towards a more active industrial policy and there was a reversion to the earlier idea of one big Union. The Dock Strike of 1889 gave a fillip to the organisation of unskilled workers hitherto barred from trade union membership, and by 1899 the Trades Union Congress represented a million and a quarter trade unionists.

The statutory position of the Trade Unions was unchanged throughout this period but the following historic cases resulted in further legislation.

### **The "Taff Vale" Judgment, 1901, and the Trade Disputes Act, 1906.**

12. Trade union funds had hitherto enjoyed security but in 1901 the decision was given in the important Taff Vale case that immunity had not been conferred by the law. The Taff Vale Railway Company sued the Amalgamated Society of Railway Servants in tort because certain of their employees, members of the Union, im-



the course of a strike were alleged to have conspired to induce workmen to break their contracts and to interfere with the traffic of the Company by unlawful means. The House of Lords held (1) that a Trade Union could be sued in respect of injuries purposely done by its authority and procurement and (2) that a registered Trade Union could be sued in its registered name. The Amalgamated Society of Railway Servants had to pay heavy damages. This decision made every kind of trade union activity a possible basis for action for damages against the organisation.

As a result of this decision, a Commission was appointed in 1903 to enquire into the state of the law affecting trade disputes and trade combinations. The report of the Commission, published in 1906, recommended that, subject to certain safeguards, Trade Unions should accept full responsibility for their official actions. Certain changes in the Government took place at that time, however, and the Report of the Commission was not accepted. Finally the Trade Disputes Act, 1906, was passed, Section 4 of which reversed the Taff Vale decision. Under this Act a Union could not be sued for an alleged wrongful act committed by it or on its behalf. This freed the Unions from any danger of civil liability arising out of trade union activities. There were other provisions in this enactment as follow:—

(1) An act done in pursuance of an agreement or combination of two or more persons if done in contemplation or furtherance of a trade dispute should not be actionable if the act without such agreement or combination would not be actionable.

(2) Attendance at or near a place where a person resides or works in order to inform or persuade peacefully should be lawful.

(3) An act if done in contemplation or furtherance of a trade dispute should not be actionable merely because it induced the breaking of a contract of employment or because it interfered with another person's business or with his right to dispose of his capital or his labour at will.

These provisions represented an extension of the immunities granted by the Conspiracy and Protection of Property Act, 1875.

### **The Osborne Case, 1909, and the Trade Union Act, 1913.**

13. Labour representatives made their appearance in Parliament in 1906 and the question arose as to whether the Unions were entitled to spend any of their funds on political objects. In 1909 the Amalgamated Society of Railway Servants was subjected to an action on the ground that their expenditure on political activities was *ultra vires*. In this matter the Society was an association not in restraint of trade. W. V. Osborne, a member of the Society, secured a Judgment in the House of Lords which held that the Trade Union Acts did not give Trade Unions the power to collect and administer funds for political purposes, and any rule which purported to confer on a registered Trade Union a power to levy contributions from members for the purpose of securing parliamentary representation was *ultra vires* and illegal. This decision



was based on the principle that Trade Unions were legalised combinations having power only to act as legal entities and to enforce their rules within the limits of the Trade Union Acts. This rendered illegal all political action, any similar activity in the municipal field and all participation in activities which were foreign to the purposes enumerated in the Trade Union Acts.

This Judgment stood until it was cancelled by the Trade Union Act, 1913. In the intervening four years most of the important Unions were precluded by specific injunctions from contributing to the support of the Labour Party. The Act of 1913 conferred power on any Trade Union to include in its constitution any lawful purpose so long as its principal objects were those of a Trade Union according to the definition of the Act of 1876. The spending of money was allowed for any purpose authorised in this way although special rules were made with regard to political objects. A majority obtained by ballot was necessary before political objects could be included in the rules of a Union and expenditure on political objects had to be made out of a special political fund to which any member need not contribute if he followed the procedure for contracting out. Should he do so, he must retain all his membership rights in other respects.

#### **Trade Union (Amalgamation) Act, 1917.**

14. The Trade Union (Amalgamation) Act, 1917, laid down conditions governing the amalgamation of Unions. The provisions of this Act were modified by the Societies (Miscellaneous Provisions) Act, 1940.

#### **Trade Disputes and Trade Unions Act, 1927.**

15. After the General Strike of 1926, the Trade Disputes and Trade Unions Act, 1927, was passed under which strikes and lock-outs which in their purpose went beyond the furtherance of a trade dispute within the trade or industry in which the workers or employers were engaged, and which were designed or calculated to coerce the Government, either directly or by inflicting hardship upon the community, were declared illegal. It was also made illegal to apply any sums in furtherance of an illegal strike or lock-out. Criminal proceedings could be instituted against any individual who incited others to take part in such illegal strikes. The law of picketing was made much more rigid and severe. In regard to political funds "contracting-out" was replaced by "contracting-in" and this had to be embodied in a written notice in a form prescribed by the Act if the individual were willing to contribute. Members of the Civil Service were prohibited from becoming members of any Unions with political objects and their Unions were denied the right of affiliation with any other industrial or political organisation. It was made illegal for local or other public authorities to make it a condition that any person employed by the authority or by a contractor working for the authority should or should not be a member of a Trade Union. An employee of a



local or other public authority who broke a contract of service with the authority knowing that the probable consequence would be to cause injury or danger or grave inconvenience to the community became liable to be prosecuted.

## WORKPEOPLE'S ORGANISATIONS.

### Trade Unions.

16. The workers' societies have had their origin in diverse circumstances and are for this reason very variable as to size, structure and constitution, though all have the fundamental purpose of improving the status and the conditions of their members, and are collectively concerned with all matters by which workers are affected.

Some Trade Unions, generally speaking the older Unions, cater for a single craft or group of crafts although in some cases the evolution of industry has resulted in their members becoming employed in a variety of industries. Other, and generally speaking larger, Unions have been established on an industrial basis and seek to cover all classes of workpeople in a particular industry or range of industries although in actual practice their membership is strongest in the less skilled classes. Thus, the National Union of Railwaymen is an industrial Union catering for all classes of railway employees and having a membership within categories which are particularly catered for by the Railway Clerks' Association and the Associated Society of Locomotive Engineers and Firemen. Further, the activities of the National Union of Railwaymen extend to railway workshops, where the craft Unions and general workers' Unions are largely represented. In the Engineering Industry the extension of machine processes has led to the employment of semi-skilled operatives, who, together with the labourers, are mainly in membership of the general workers' Unions. These—the Transport and General Workers' Union and the National Union of General and Municipal Workers—are organised in sections covering a wide range of industries.

17. Each Union is an autonomous body with its own organisation, the basis of which is the Local Branch or Lodge. The Branch elects officers and committees and discusses all matters which can be dealt with locally. Wider questions are sent forward for the attention of the Union's district or national bodies. Every member has a right to attend and take part in Branch meetings, and it is at these meetings that the individual members are able to put forward suggestions regarding their conditions of employment, and to raise questions concerning the work and policy of the Union. The majority of the Unions have representatives in the workshops whose functions include the collection of dues and the interrogation of defaulters and newcomers, and who supply the Branch with information regarding any alleged encroachment upon recognised trade union conditions. In various trades also, as in the case of shop stewards in the Engineering Industry, the workshop



representatives participate in deputations to the management in connection with grievances and also arrange shop meetings for the discussion of problems concerning the members of the shop.

The members of the Local Branches elect delegates to represent them on District and National Committees and at the Union's National Conferences. The District and National Committees deal with business of more than local significance and there is normally an annual conference at which the policy of the Union and any alterations to the Union's rules are decided. Each Union controls its own funds and has offices and a full-time paid staff.

In the localities, the Branches of the various Trade Unions may appoint representatives to a local Trades Council which meets to consider questions of common interest to the Unions in the area concerned.

18. The methods followed by Unions in furthering the interests of the workers and the degree of autonomy exercised by Local Branches vary greatly from case to case. Some Unions are bound by stringent procedure in respect of the treatment of differences and in such cases strike action is irregular until all the possibilities of procedure have been exhausted. Generally, however, any decision for a withdrawal of labour rests with the Executive, although in some instances it may be necessary to refer the issue to a ballot vote of the members and obtain a two-thirds majority. There is no uniformity in this matter and the practice depends on the constitution and the relationships of the Union concerned.

19. The following figures give an indication of the variations in the membership of Trade Unions:—

Year	Number of Trade Unions at the end of year	Membership at end of year		
		Males	Females	Total
		Thousands	Thousands	Thousands
1896	1,358	1,466	142	1,608
1906	1,282	1,999	211	2,210
1914	1,260	3,708	437	4,145
1919	1,360	6,600	1,326	7,926
1920	1,384	7,006	1,342	8,348
1925	1,176	4,671	835	5,506
1926	1,164	4,407	812	5,219
1930	1,121	4,049	793	4,842
1936	1,036	4,495	800	5,295
1937	1,032	4,947	895	5,842
1938	1,024	5,127	926	6,053
1941	983	5,719	1,374	7,093
1942	976	6,113	1,668	7,781

The latest complete statistics are those for 1942 but since that date the process of expansion has continued.

The outstanding feature in regard to Trade Unionism during the last 50 years has been the reduction in the number of organisations.



Earlier, when communication was more difficult and co-operation had not been developed, the tendency was for small localised Unions catering for groups of workers. A process of amalgamation and absorption has gone on consistently over the whole period despite variations in the aggregate membership, although many small local Unions have persisted. So far as individual industries are concerned, the tendency has been, where similar types of workers were involved, for coalescence on a national basis. In 1920, when the aggregate membership reached its maximum of 8,348,000, there were 1,384 Unions as compared with 976 at the end of 1942. This reduction in the number of Unions was due in the main to the process of amalgamation and absorption.

The extent to which the large organisations contributed to the total membership is indicated by the fact that, in 1942, 16 of them represented 4,647,000 workers, or 59.7 per cent. of the whole. On the other hand, the number of Unions with less than 500 members was no fewer than 556, with a total membership of only 77,000—representing 1 per cent. of the aggregate. The trend in the direction of concentration is clear.

### **Federations of Trade Unions.**

20. In Great Britain and Northern Ireland at the end of 1917 there were 182 federations of Trade Unions, with a membership of nearly 6½ million, many of the Trade Unions concerned being affiliated to more than one federation. By the end of 1942, largely as a result of the above-mentioned development of amalgamations, the number of federations had fallen to 57 and the approximate gross total membership to 2,974,000. The largest federations were the Mineworkers' Federation of Great Britain, representing an affiliated membership of nearly 600,000, the Confederation of Shipbuilding and Engineering Unions of the United Kingdom, the United Textile Factory Workers' Association and the Northern Counties Textile Trades Federation (covering various organisations in the Cotton Industry), the Printing and Kindred Trades Federation, and the National Federation of Building Trades Operatives. Another federation of a somewhat different character is the General Federation of Trade Unions to which are affiliated 91 societies in different industries. It was set up in 1899 by the Trades Union Congress as a central body to co-ordinate the industrial activities of all Trade Unions, and any Union which joined the Federation was to be entitled to draw upon a central fund to supplement its resources in the event of a strike or lock-out. In practice, however, these initial intentions have not been fulfilled. Most of the Unions which are affiliated to the Federation are individually small, and the Federation operates to a large extent as a mutual insurance organisation.

21. These federations vary greatly in their purposes and in the degree of authority conferred on them by the constituent Unions. In general, however, the final decision as to action in connection with a labour dispute rests with the Executive of the individual



Union although it naturally has certain obligations in respect of any decision of a federation. There are a few instances in which the decision of a federation is binding on a constituent Union, but it is exceptional to find this is a matter of clear definition in the constitution.

### **Trades Union Congress.**

22. The trade union movement has been centralised since 1868 in the Trades Union Congress, the objects of which are "to promote the interests of all its affiliated organisations and generally to improve the economic and social conditions of the workers." The Standing Orders provide that in furtherance of these objects the General Council shall endeavour to establish measures for the public ownership and control of natural resources and of services including land, mines, minerals and railways and the extension of State and Municipal enterprise for the provision of social necessities and services; for proper provision for adequate participation of the workers in the control and management of public services and interests; for a legal maximum working week of 44 hours and a legal minimum wage for each industry or occupation; for provision and training for unemployed; for adequate housing; for full educational possibilities; for adequate maintenance and compensation in respect of all forms of industrial accident and diseases; and for adequate pensions for the aged and infirm, widows and children.

23. The Annual Meeting of delegates from the Unions affiliated to the Trades Union Congress settles general policy for the ensuing year. The General Council, the executive body which carries out the decisions of Congress, is composed of 32 members representing the 17 industrial groups into which the affiliated Unions have been divided. The duties of the General Council are, among other things, to keep a watch on all industrial movements and where possible to co-ordinate industrial action; to watch legislation affecting labour and to initiate such legislation as Congress may direct; to adjust differences and disputes between Unions; to promote common action on general questions such as wages and hours of labour; to assist any Union which is attacked on any vital matter of trade union principle; to assist in the work of organisation and to carry on propaganda to strengthen the trade union movement; to enter into relations with the Trade Union and Labour movements in other countries; and if necessary to take trade union cases for decision to the House of Lords.

There is an obligation upon affiliated Unions to keep the General Council informed regarding trade disputes, particularly where they may involve directly or indirectly large bodies of workers. The general policy of the Council is not to intervene in a dispute unless requested by the affiliated Union or Unions concerned with it so long as there is a prospect of amicable settlement by means of any existing machinery of negotiation. When, however, negotiations break down and the deadlock is of a character which involves other affiliated bodies of workpeople directly or indirectly



in a stoppage of work, or which imperils standing wages or hours or conditions of employment, the Council may take the initiative to use its influence to effect a settlement.

The General Council may also use its influence to settle disputes or threatened disputes between affiliated organisations. The procedure laid down is that, upon application by affiliated Unions, the Council may investigate a dispute or disagreement between such Unions whether relating to general questions or to a demarcation of work. The Council may require such organisations to submit evidence necessary to enable the Disputes Committee of the Council to adjudicate upon the case and any organisation which does not carry into effect any decision of the General Council upon such cases is, in the last resort, liable to suspension or exclusion from membership of Congress.

### **Scottish Trades Union Congress.**

24. There is a separate Scottish Trades Union Congress which occupies a corresponding position in the trade union movement in Scotland. Its membership has increased and although it is of interest particularly to Unions confined to Scotland, some large national Unions have also become affiliated to it as well as to the T.U.C. Because of this dual membership of the larger Unions, there is a closer liaison with the T.U.C., and the status of the Scottish Trades Union Congress has risen considerably. It now represents over 600,000 Trade Union members in Scotland.

### **National Council of Labour.**

25. Although the origin and main activities of Trade Unions lie in the industrial field, they have also a direct association with politics because of the connection between the Trades Union Congress and the political Labour Party. A joint body, the National Council of Labour, which is composed of representatives of the General Council of the T.U.C., of the Labour Party, of the Parliamentary Labour Party and of the Co-operative Union is responsible for the consideration of questions which have both an industrial and a political implication.

## **EMPLOYERS' ORGANISATIONS**

26. Employers' organisations in the form of Merchant Guilds and Livery Companies have been in existence in this country since the Middle Ages. These Guilds and Companies which, in their time, dealt in some measure with both trading and labour questions affecting their craft, differed, however, in material respects from employers' organisations under modern conditions. Like most British institutions, the latter have developed to meet particular circumstances and do not conform with any uniform plan. Broadly, they fall into three categories:—

(1) those constituted for dealing with industrial relations questions, including collective bargaining with Trade Unions and the avoidance of disputes;



(2) those which fulfil that purpose and, in addition, deal with trading questions; and

(3) those which deal solely with trading questions—and which are outside the scope of this Handbook.

As regards the first two categories which deal with industrial relations questions, the repeal of the Combination Laws and the growth of Trade Unionism during the nineteenth century stimulated both an increase in the number of these employers' organisations and the expansion of their activities. No precise statistics are available to indicate the extent of the industrial field which they now cover but this has been estimated at approximately eight million workers.

27. Just as there is great diversity in regard to function, there is equal variety in respect of structure. Generally, however, employers are organised as regards labour matters on an "industry" basis. Some are purely local in character and deal with a section of an industry. Others are national in scope and are concerned with the whole field of a particular industry. It is impossible to classify them in respect of aim, structure or authority. In many of the chief industries there are local or regional organisations combined into national federations, but the degree of authority exercised by regional organisations over individual members, or by federations over affiliated organisations, especially in the matter of wages and working conditions, varies considerably.

28. In 1936, there were known to be in existence about 270 national federations concerned with matters relating to the employment of labour, and in addition approximately 1,550 other employers' organisations consisting for the most part of local or regional branches of the national federations. There was, therefore, in 1936, a total of 1,820 employers' organisations dealing with labour questions; an analysis of these organisations classified according to main industrial groupings is to be found on page 136 of the Twenty Second Abstract of Labour Statistics of the United Kingdom (1922-36). The corresponding figure in September, 1943, was approximately 1,900, and although statistics are not available to show what proportion of these were national as opposed to local bodies, it is safe to assume that the proportion has not materially altered since 1936.

29. By 1919 there had been formed the National Confederation of Employers' Organisations—now known as the British Employers' Confederation—to secure the co-operation of the employers' national federations in dealing with all questions arising out of the relations between employers and their work-people. The British Employers' Confederation—whose membership consists of the national federations in industries employing approximately 70 per cent. of the total industrial population of the country—is the employers' counterpart of the Trades Union Congress for dealing with labour questions affecting industry generally. In that capacity, the Confederation has represented



British employers at the annual Conferences of the International Labour Organisation since that Organisation was set up in 1919.

30. The British Employers' Confederation and the Trades Union Congress have long been recognised as the authoritative means of consultation between Government Departments and organised employers and workpeople on matters affecting their respective interests, and at the outbreak of war the need for close co-operation was quickly recognised. On 4th October, 1939, the Minister of Labour and National Service presided at a Conference with the two organisations in order to evolve machinery for this purpose. As a result there was established a National Joint Advisory Council consisting of fifteen representatives nominated by each organisation. It was agreed that the Council should operate as an advisory body and the scope of its functions was to include "all matters in which employers and workers have a common interest". At the same time the Council was not to encroach on the jurisdiction of organisations concerned with particular industries. In May, 1940, the Council appointed a Joint Consultative Committee consisting of seven representatives of the British Employers' Confederation and the Trades Union Congress respectively to advise the Minister of Labour and National Service on all matters arising in the period of national emergency. Further reference is made to the Joint Consultative Committee in Section VI.

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## Section II

# COLLECTIVE BARGAINING AND DEVELOPMENT OF JOINT NEGOTIATION BETWEEN ORGANISATIONS OF EMPLOYERS AND WORKPEOPLE

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## HISTORICAL DEVELOPMENT.

1. In the early days of Trade Unionism the outlook of the Unions reflected both industrial aspirations and political ideas. By about 1850, however, Unions were concentrating more and more upon the improvement of the working conditions of the workers and, as they had by that time made considerable progress in their struggle for recognition, the next stage was the establishment of some agreed relationship with employers and employers' organisations. Most of the craft Unions had a strong membership and they were able to set up machinery for dealing with disputes by conciliation and even by arbitration. Conciliation Boards, with a restricted form of procedure confined to the treatment of disputes, were established in a number of industries, but with the development of industry the scope of this arrangement had to be widened. In this process Trades Councils and local federations of employers' associations lent considerable aid, and by 1900 many of the staple industries had adopted the practice of collective bargaining.



2. The term "collective bargaining" is applied to those arrangements under which the wages and conditions of employment are settled by a bargain, in the form of an agreement made between employers or associations of employers and workpeople's organisations. In unorganised trades the individual workman, applying for a job, accepts or refuses the terms offered by the employer, without communication with his fellow workmen and without any other consideration than his own position. He makes with his employer an entirely individual bargain. The position is quite changed when the employer settles in an agreement the principles and conditions upon which for the time being all workmen of a particular class or grade will be engaged. When the agreement is made by a number of different employers or, as is often the case, by an employers' association acting on behalf of the whole or the greater part of the firms in a given industry within a wide area, all the workpeople employed by the employers concerned are secured equality of treatment, while each employer is protected against unfair competition due to lower wages costs in so far as his competitors are parties to the agreement. For many years collective agreements have played a most important part in the regulation of working conditions in this country. They cover a great variety of matters including not only rates of wages, but also hours of work, overtime conditions, special allowances, piecework arrangements, holidays, allocation of work, employment of apprentices and working conditions generally. The terms and conditions laid down in the agreement are applied not only to members of Trade Unions but also to non-unionists. Trade agreements are also largely observed by employers who are not party to them.

This system of collective bargaining could not function smoothly without agreements between the parties regarding the procedure for dealing with questions as they arise, and in no other industrial country has so much been done towards evolving machinery for the avoidance of strikes and lock-outs in connection with trade disputes.

3. The whole of this collective system rests upon the principle of mutual consent, and the value of the agreements and the machinery for settling disputes has depended upon the loyal acceptance by the constituent members on both sides of the decisions reached. This acceptance is purely voluntary depending solely on the sense of moral obligation. Loyal acceptance has in fact been the rule in all the trades concerned. Although the question has been raised from time to time of the adequacy of these methods, the view has always been taken that it was not desirable to adopt some alternative based upon principles other than that of mutual consent or to introduce any system of penalties for non-observance of agreements. Certain steps have, however, been taken in the interests of the community to encourage joint voluntary machinery and to assist where necessary in the settlement of disputes. There are two main legislative measures, the Conciliation Act, 1896, and the Industrial Courts Act, 1919. In addition, however, a great deal has been done through the



Conciliation Officers of the Ministry of Labour to strengthen and support existing joint machinery and to promote new voluntary machinery as organisation developed in industry.

### **Conciliation Act, 1896.**

4. In 1891, a Royal Commission was set up "to enquire into the relations between employers and workmen and to report whether legislation could be directed to remedy any faults disclosed." This body emphasised the rapid development of voluntary Joint Conciliation Boards and the desirability of State encouragement of such Boards. The recommendations of this Commission reached the Statute Book in the Conciliation Act, 1896, under which a special section of the Board of Trade was to foster voluntary conciliation agreements and was granted powers in connection with trade disputes:—

- (1) to inquire into the causes and circumstances of a dispute;
- (2) to take steps towards bringing the parties together;
- (3) to appoint a conciliator or board of conciliation on the application of the employers or the workers; and
- (4) to appoint an arbitrator on the application of both parties.

These powers were subsequently transferred to the Ministry of Labour and National Service and the Act is still operative. In the first instance both sides of industry showed reluctance to accept Government interference, even to this limited extent, and the officers who were concerned with carrying out the purposes of the Act had to use the powers sparingly. By the exercise of discretion, however, the Labour Department of the Board of Trade (later the Ministry of Labour) was able to do a good deal of useful work in the field of industrial relations while giving full play to the voluntary principle in organised industries.

### **Trade Boards Act, 1909.**

5. The first modification of the voluntary principle in the regulation of wages was made by the Trade Boards Act, 1909, which set up Trade Boards empowered to fix minimum rates of wages. The Act was confined to certain unorganised trades where "sweated wages" had aroused deep public feeling. The Act was extended in 1918. This and other forms of statutory regulation of wages are described in another Section of this Handbook.

### **Munitions of War Act, 1915.**

6. At the outbreak of war in 1914 a considerable section of industry was covered by agreements dealing with wages and working conditions. Also, Trade Unions had established certain practices in relation to conditions of work and the labour to be employed on the various processes. The war gave a great fillip to trade union membership, and the Unions acquired a new status as the Government of the day took them into consultation to an increasing extent. War conditions called for greater flexibility in production and steps had to be taken to avoid stoppages of work due to trade disputes. Under the Munitions of War Act, 1915, strikes and lock-outs were made illegal so far as munitions work was concerned unless the difference had been reported to the Board of Trade and had not



been referred by the Board of Trade for settlement in accordance with the provisions of the Act within twenty-one days of being reported. The definition of "munitions work" was so wide as to exclude only a very small section of production from the operation of this prohibition. Arbitration in regard to disputes on munitions work was enforceable by the Board of Trade but there was an understanding that the Agreements in the various industries were to continue to operate and that arbitration should be supplementary. As the war progressed, however, the tendency was for the Trade Unions to prefer a quick reference to arbitration and this became the common practice. Any Award under the Munitions of War Act was binding on both sides and was enforceable at law.

This war-time national arbitration gave encouragement to the regulation of wages on a national basis, and after the war wage changes in many industries continued to be made on a national basis and through centralised organisations.

#### **Whitley Committee, 1916.**

7. Despite the legal prohibition of stoppages of work and the acceptance of compulsory arbitration, there developed at the mid-period of the war areas of unrest throughout the country. These seemed to have a common origin in what was called the Shop Stewards' Movement which found its inspiration in the theory of industrial unionism. The essence of this was devolution of authority to the workshop and the establishment of workers' control therein on militant lines with the ultimate object of securing control of industry generally. It had its chief vogue on the Clyde and in Sheffield but there were less important manifestations in other districts. It gained impetus from the restrictions placed on the recognised authority of the Unions in respect of strike action, and its popularity was due in a considerable measure to the fact that its propagators were able to inspire the rank-and-file with the idea that they could expect nothing from the orthodox officials and must act for themselves. They were convinced that even their ordinary claims were best furthered by unofficial action and, in consequence, the exponents of the theories of the Shop Stewards' Movement, who had wider motives, were accepted as leaders in industrial disputes. The situation developed a number of serious aspects, and in October, 1916, the Government set up a Committee on the Relations between Employers and Employed under the Chairmanship of Mr. J. H. Whitley, M.P., the then Speaker of the House of Commons:

(1) to make and consider suggestions for securing a permanent improvement in the relations between employers and workmen; and

(2) to recommend means for securing that industrial conditions affecting the relations between employers and workmen shall be systematically reviewed by those concerned, with a view to improving conditions in the future.



8. The recommendations contained in the five reports of the Committee were far-reaching and they have played an important part in the extension and formation of joint negotiating machinery, the extension of the Trade Boards system and the development of statutory machinery for the prevention and settlement of industrial disputes. The recommendations were (1) the formation in well-organised industries of Joint Industrial Councils, (2) the appointment of Works Committees representative of the management and the workers in individual establishments, (3) statutory regulation of wages in badly-organised trades, (4) a permanent Court of Arbitration, and (5) that the Minister of Labour should be authorised to hold inquiries regarding disputes. The Committee laid down as an over-riding consideration "the advisability of a continuance, as far as possible, of the present system whereby industries make their own agreements and settle their differences themselves." This has been, and still is, the determinant of the State policy in regard to intervention in industrial disputes. The Committee also stated as their "considered opinion that an essential condition of securing a permanent improvement in the relations between employers and employed is that there should be adequate organisation on the part of both."

The Committee's reports were favourably received by organisations of employers and workpeople and the policy suggested was adopted by the Government. The Ministry of Labour was charged with the application of the recommendations.

The development of Joint Industrial Councils is described later in this Section; Works Committees are dealt with in Section IV of this Handbook; and the extension of statutory wage regulation under the Trade Boards Act, 1918, is referred to in Section VIII. The other recommendations of the Committee (4) and (5) above) were embodied in the Industrial Courts Act, 1919, in which it was laid down, as regards the Minister of Labour's powers of reference to arbitration, that any established voluntary procedure appropriate to the difference in question should first be fully utilised. The application of recommendations (4) and (5) is described in Section V.

### **Conditions of Employment and National Arbitration Order, 1940.**

9. During the present war the emphasis on the voluntary principle is maintained as far as possible in the Conditions of Employment and National Arbitration Order, which is a war-time measure designed to prevent work from being interrupted during the war by trade disputes. This Order prohibits lock-outs and strikes unless the dispute has been reported to the Minister of Labour and National Service and has not been referred by him for settlement within twenty-one days; it provides for the establishment of a National Arbitration Tribunal for dealing with disputes but specifically lays down that if there is collective joint machinery suitable for settling a dispute the Minister of Labour and National Service must, when such a dispute is reported to him, refer the dispute for settlement to that machinery, and any such settlement



has the same force as an arbitration award. The Order makes it obligatory upon employers to observe terms and conditions which have been settled, by collective agreement or by arbitration, for the trade concerned in the district.

### METHODS OF JOINT NEGOTIATION.

10. The voluntary joint machinery for the regulation of terms and conditions of employment has evolved according to the varying needs and circumstances of the different trades and industries. Considerable diversity was bound to result from differences in the geographical distribution, size and character of industrial undertakings, in the nature and extent of organisation among employers and workpeople, in the structure and inter-relationships of their respective associations and in the rate of change in all these matters. All these factors have influenced the course of development and like the Unions and employers' organisations themselves the joint machinery presents great complexity and variety in structure and organisation. Even industries which are highly organised and which are carried on mainly in large-scale undertakings do not conform to any one type of wage regulating system.

It is probably true to say, however, that the better the organisation is, the more effective and simple is the machinery of collective bargaining.

11. In the early days of collective bargaining, negotiation was generally confined to localities, but in most industries the scope of the machinery has been continually extended until national negotiations have largely replaced local interchanges on industrial questions. National negotiating machinery varies considerably, however, in form and in degree of authority over the local machinery.

12. The trend towards national negotiations does not mean that a national uniformity has been established in regard to wage rates and conditions. For instance, in the Building Trade there is a grading system of a most elaborate kind and wage rates vary from place to place; and in most other industries basic rates of wages vary according to locality. Modern developments in industry, however, tend to minimise the effect of differences in location. The wider distribution of power through electricity supply, for example, has removed one of the causes of wide variations in costs in Engineering, and in this industry some of the more extreme variations in basic rates have been adjusted. Nevertheless, national uniformity exists at present only in respect of additions to basic rates and in the allowances payable for any special conditions of working, such as overtime, nightshift, and the like. Accordingly in Engineering there is broadly national regulation of additions to district basic rates and of common conditions of work; there is also an increasing tendency in the organised districts to make adjustments in basic rates to avoid wide fluctuations.

In some instances the need for local adjustments of rates, or for local consultation regarding the application of national agreements,



is met by discussions at the appropriate level between representatives of the Unions and employers' associations or individual employers. Where necessary District or Local Agreements may be entered into, but such agreements must be in conformity with the National Agreements and the latter usually prescribe the subjects which may be dealt with locally.

Where industrial settlements are arranged nationally there is a right of appeal from local bodies to national organisations regarding any differences arising locally. In some instances a disposition to refer such local matters for central discussion results in a loss of flexibility but, on the whole, considerable discretion is exercised by local bodies in endeavouring to reach an amicable solution of differences.

13. Variety in the methods of collective bargaining as well as in wages structure is most evident in industries in which the principle of joint negotiation between organisations had been acted upon and was well established before the end of the war in 1918. There is greater uniformity in industries where joint organisation is a more recent development and has been founded on the basis of the Joint Industrial Councils which were recommended by the Whitley Committee. These Councils are described in the following subsection.

### JOINT INDUSTRIAL COUNCILS.

14. The Whitley Committee recommended, *inter alia*, "the establishment for each industry of an organisation, representative of employers and workpeople, to have as its object the regular consideration of matters affecting the progress and well-being of the trade from the point of view of all those engaged in it, so far as this is consistent with the general interest of the community." The Committee further stated "... a permanent improvement in the relations between employers and employed must be founded upon something other than a cash basis. What is wanted is that the workpeople should have a greater opportunity of participating in the discussion about and adjustment of those parts of industry by which they are most affected. . . . We venture to hope that representative men in each industry, with pride in their calling and care for its place as a contributor to the national well-being, will come together in the manner here suggested, and apply themselves to promoting industrial harmony and efficiency and removing the obstacles that have hitherto stood in the way."

The Committee accordingly urged that the Government should propose to the organisations of employers and employed the formation of Joint Industrial Councils to consist of representatives of the associations of employers and workpeople meeting at regular intervals for the consideration of such matters as the better utilisation of the practical knowledge and experience of the workpeople, the settlement of the general principles governing the conditions of employment, means of ensuring to the workpeople the greatest possible security of earnings and employment, methods of fixing and adjusting earnings, piecework prices, etc., technical education



and training, industrial research, improvement of processes, etc., and proposed legislation affecting the industry.

The Committee recommended further that District Councils, similarly representative of associations of employers and employed, and Works Committees, representative of the managements and of the workpeople in particular establishments, should be set up in conjunction with the National Councils.

15. The services of the Ministry of Labour were invoked by many industrial organisations on various aspects of the scheme, and the Ministry drew up a Model Constitution and Functions of a Joint Industrial Council which is set out in Appendix I.

16. Between January, 1918, and December, 1921, 73 Joint Industrial Councils were established. In addition, 33 Interim Industrial Reconstruction Committees of a less formal character were set up by the Ministry of Reconstruction to provide some representative body in industries where organisation was insufficiently developed for the purposes of a Joint Industrial Council. 14 of these Committees were reconstituted as Joint Industrial Councils within a few years. A list which includes the Joint Industrial Councils in existence as at June, 1944, is set out in Section XIII.

17. The basis of the scheme of Joint Industrial Councils is the recognition of organisation through employers' associations and Trade Unions. For various reasons—mainly on account of the prior existence of adequate joint machinery—the formation of Joint Industrial Councils on the lines laid down by the Whitley Committee was not undertaken in some of the more important industries (e.g. Engineering, Shipbuilding, Iron and Steel, and Cotton) where the recognition of Trade Unionism was most completely established and a procedure of collective bargaining already well developed. Some Joint Industrial Councils were established before organisation was adequate within the industries concerned to give them authority and in consequence subsequently broke down. Others, however, gained in strength and succeeded in establishing themselves.

Although largely based upon the model constitution the Joint Industrial Councils present considerable variety in structure, in the degree of authority within the industry, and in the nature and extent of their activities. Some have not progressed beyond the stage of a negotiating body for the settlement of wages. A few, on the other hand—and these are among the most successful—do not negotiate wages, such functions being performed by other means previously in existence.

18. In the field of conciliation and arbitration many Councils have played an important part in the settlement of disputes. The constitution of several Councils provides that no stoppage of work shall take place until the matter in dispute has been considered by the Council, and this applies also to those Councils which do not include the settlement of wages among their functions.

Most of the Councils have at some time or other dealt with matters other than the negotiation of wages or the settlement of



disputes. Among the matters dealt with have been unemployment, restoration of trade, research and the collection of statistics within the industries and from outside authorities, education, training and apprenticeship, welfare, health and safety, workmen's compensation, transport facilities, etc. In such matters there is consultation between the Councils and the Government Departments concerned. Much of the work of more active Councils is performed by Committees.

19. The Joint Industrial Councils vary also in size (the number of representatives ranging from a dozen to 70), frequency of meetings (e.g., quarterly, half-yearly, or only occasionally as the business on hand requires), and the extent, if any, of District Councils. The latter enjoy in some cases a certain amount of local autonomy but are usually subject to the authority of the National Council.

Joint Industrial Councils with District Councils have been established for Local Authorities viz., one Council for the Administrative, Professional, Technical and Clerical Grades and another for the Manual Workers in Non-Trading Departments. The Government has adopted similar machinery for its own employees. There are a National Whitley Council and Departmental Councils for the Administrative and Legal Departments of the Civil Service. For industrial employees there are an Industrial Council for each of the main employing Departments, Trade Joint Councils dealing with the wages of certain industrial groups, and a Joint Coordinating Committee.

In the case of a considerable number of Joint Industrial Councils an officer of the Ministry of Labour and National Service attends meetings and assists the Council in a variety of ways in the capacity of a liaison officer.

#### **ARRANGEMENTS FOR ARBITRATION UNDER VOLUNTARY JOINT AGREEMENTS.**

20. Early in the development of collective bargaining between employers and workpeople, the problem arose of finding a means of settling a dispute where agreement could not be reached by negotiation, and so avoiding a strike or lock-out. As early as 1856 a Parliamentary Committee which was appointed "to enquire into the expediency of establishing equitable Councils for the amicable adjustment of differences between masters and operatives" laid down the need for a clear distinction between compulsory arbitration which would bind parties under penalties to accept a decision or award, and arbitration where the obligation to accept a finding did not go beyond an honourable obligation. The Committee did not solve the problem but there developed the practice of incorporating in joint agreements arrangements for arbitration by an independent party, and long before legislation was passed to provide machinery for the reference of industrial disputes to arbitration, a number of local or district Conciliation and Arbitration Boards had been set up by industries themselves. The oldest of these were the Board of Conciliation and Arbitration for the Manufactured



Iron and Steel Trades of the North of England, dating from 1869, the Midland Iron and Steel Wages Board, which goes back to 1872, and the Board of Conciliation and Arbitration for the Manufactured Steel Trades of the West of Scotland, which was set up in 1890. Other industries having such Boards at the beginning of the present century were Building, Quarrying, Textiles, Boot and Shoe, Tailoring and Furnishing Trades. These Boards, which were composed of equal numbers of representatives of employers and work-people, endeavoured to resolve disputes by methods of conciliation. The joint agreements regarding the Boards provided, however, for the appointment of an arbitrator or umpire acceptable to both sides to deal with cases which could not be settled by negotiation. It was generally provided that no strike or stoppage should occur while the matter in dispute was under consideration by the Board, and the history of these Boards provides an almost unbroken record of acceptance and loyal observance, by both sides of the industries concerned, of the decisions of the umpires or arbitrators to whom their disputes were referred.

21. The steps taken by industry to set up its own arbitration machinery were supplemented by the provisions of the Conciliation Act, 1896, and the Industrial Courts Act, 1919. Since the passing of the latter Act, a large number of Joint Industrial Councils and other national negotiating bodies have made provision for the reference of unsettled disputes to the Industrial Court, or to individual arbitrators appointed by the Minister of Labour and National Service under the provisions of the Industrial Courts Act. On the other hand many industries and services have preferred their own arbitration machinery, designed to meet their particular needs. The following are some examples of arrangements for voluntary arbitration where there is failure to reach agreement through negotiating machinery:—

#### **The Railway Staff National Tribunal.**

- In the case of railway traffic, locomotive and clerical grades, the Machinery of Negotiation for Railway Staff agreed between the railway companies and the railway Trade Unions culminates in an arbitration body known as the Railway Staff National Tribunal. This Tribunal consists of three members, *viz.* a Chairman appointed by agreement between the companies and the Unions (or in the event of failure to agree, by the Minister of Labour and National Service), and one member selected from a Panel previously nominated by the companies and one from a Panel nominated by the Unions. Certain types of cases are decided by the Chairman alone. Differences concerning railway shopmen and railway electricity generating staff employees are referred, where the parties so agree, to the Industrial Court.

#### **Coal-Mining—National Reference Tribunal.**

Under the Conciliation Scheme now in operation, a National Board is constituted to provide machinery for negotiation and arbitration. The Board consists of a Negotiating Committee,



representative of both the National Associations in the industry, and of a National Reference Tribunal, composed of persons who are not engaged in the Coal-Mining Industry. Questions referred to the Board are discussed by the Negotiating Committee with a view to settlement and, failing such settlement, reference is made to the National Reference Tribunal for final decision.

#### **Quarrying Industry Court of Arbitration.**

The constitution of the National Joint Industrial Council for the Quarrying Industry provides for a scheme of arbitration by a tribunal composed of two members drawn from each side of the Council not directly involved in the dispute, together with an independent Chairman, who may be nominated by the Minister of Labour and National Service, or may be any person, not a member of the Council, mutually agreed upon between the parties.

#### **National Conciliation Board for the Co-operative Service.**

The procedure for the settlement of disputes in the Co-operative Service provides for the establishment of a National Conciliation Board composed of six members representing Co-operative Societies and six chosen by the Trade Unions representing the workers, together with an independent Chairman drawn in rotation from a panel of six persons. Where a decision cannot be reached by a unanimous vote or by a majority vote on both sides, the independent Chairman, if both parties consent, acts as Arbitrator and gives a binding award. As a war-time measure, it has been jointly agreed that the consent of both sides to reference to arbitration by the Chairman is not necessary.

#### **The Civil Service Arbitration Tribunal.**

The Civil Service Arbitration Tribunal was set up in 1936 as a result of an agreement reached between the Treasury and the Staff Side of the National Whitley Council. This Tribunal deals with questions on which there has been failure between Government Departments and recognised Associations of Civil Servants within the scope of the National Whitley Council for the Administrative and Legal Departments of the Civil Service to reach agreement by negotiation affecting the emoluments, weekly hours of work and leave of classes of Civil Servants. This Tribunal consists of an independent Chairman, one member drawn from a Panel appointed by the Minister of Labour as representing the Chancellor of the Exchequer for the time being, and one member drawn from a Panel similarly appointed representing the Staff Side of the National Whitley Council.

#### **London County Council Arbitration Tribunal.**

A Tribunal on similar lines to the Civil Service Arbitration Tribunal has been established by agreement between the London County Council and the L.C.C. Staff Association.



22. The above is not a comprehensive list of the industries and services where the negotiating machinery provides for arbitration in the last resort but it illustrates the types of arrangements which have been made. They are not affected by the statutory war-time provisions for compulsory arbitration, as they provide a means of settlement within the industry itself. Experience shows that British workers are more ready to accept decisions to which they have voluntarily bound themselves in advance than to accept decisions given under a system of compulsory arbitration if the decisions are regarded as inequitable. Both employers and workers take the honourable obligation very seriously, and very rarely is an arbitration award repudiated.

It must not, however, be assumed that arbitration will necessarily be regarded as the final solution for the settlement of differences in the present stage of industrial development. British workers attach importance to the right to strike and employers may correspondingly claim the right to lock out. The right to strike is bound up with the conception of employment as a civil contract between equals. Workers seek to maintain this principle and regard the right to strike as the expression of their individual and collective rights in industry. For this reason, compulsory arbitration and the prohibition of strikes are unlikely to be successfully established as a permanent feature of industrial relations. They are accepted in war-time as being necessary for the conduct of the war. In peace-time, British experience so far shows that voluntary methods are more likely to achieve their purpose than compulsion and penalties.

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### Section III

## JOINT NEGOTIATING MACHINERY

### *Organisation in Selected Industries and Arrangements for Dealing with Disputes*

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1. Section II of this Handbook gives a general account of the development of joint collective machinery in Great Britain. The notes in this Section describe in main outline the joint arrangements in a few classes of employment which are selected to illustrate the variety of voluntary machinery which has been adopted for the settlement of wages and conditions of employment. In some cases there is no formal constitution, but by custom and practice the parties negotiate on questions as they arise, subject to the accepted principles that there shall be no stoppage of work during negotiations and no negotiations while men are on strike. In other cases there are standing Joint Councils or Committees, with detailed procedure for dealing with questions at different stages. Some of the formal constitutions are based on the recommendations of the Whitley Committee. A comprehensive list of Whitley Councils and other standing joint bodies is set out in Section XIII.



2. The material on which the following notes are based has been acquired in the course of the day-to-day work of the Industrial Relations Department of the Ministry of Labour and National Service and is not the result of special enquiry. Accordingly this account of negotiating machinery in the selected industries is not exhaustive. It is, however, intended only to show the marked differences in method which have been evolved, and there is no reason to believe that the notes fail to give a fair picture of the position in these industries as at June, 1944.

### GOVERNMENT INDUSTRIAL ESTABLISHMENTS.

3. During the years 1919 and 1920 the principles of the Whitley Reports were applied to Government industrial establishments by a scheme which provided for the setting up of two types of Council, *viz.*, Departmental Joint Councils and Trade Joint Councils, and also for local machinery such as Works or Yard Committees. All but one of the existing Councils date from the years 1919 and 1920. There are two types of constitution common to the Councils, one for the Departmental Joint Councils and one for the Trade Joint Councils. A Departmental Joint Council may be said, in brief, to deal with matters other than wages and trade questions, *i.e.*, mainly domestic matters, such as the interpretation of departmental regulations, welfare and other questions on which the Trade Union Side may wish to make representations or which have been referred to the Council from a Yard or Works Committee. Wages and trade questions, which are often common to various Departments, are dealt with on Government Trade Joint Councils.

#### Departmental Joint Councils.

4. The constitution of a Departmental Joint Council provides:—

(1) that the members of the Official Side shall be appointed by the Department concerned, except as to one representative appointed by the Minister of Labour and National Service, and that the members of the Trade Union Side shall be appointed by the Trade Unions having members employed in the various establishments of the Department;

(2) that the representatives shall serve for one year and be eligible for re-appointment by the Department (or the Minister of Labour and National Service) or Trade Unions as the case may be;

(3) that the Council may delegate special powers to any committee it appoints;

(4) that the Chairman shall be a member of the Council appointed by the Department concerned and the Vice-Chairman a member appointed by the Trade Union Side of the Council and that a Secretary shall be appointed from each side of the Council. (In the case of some Councils it has been the practice for the Chairman to be a Minister and in the case of others a senior officer of the Department).



(5) that decisions of the Council shall normally be by agreement but a vote may be taken by show of hands or otherwise as may be determined, no resolution being regarded as carried unless it has been approved by a majority of the members on each side of the Council. (For many years, there has been no instance of voting).

(6) that the Trade Unions or Groups of Trade Unions shall be responsible for the travelling and other personal expenses of their representatives attending meetings of the Council or its Committees.

5. Each of the larger employing Departments has a Departmental Joint Council. Councils have not been set up in the case of certain Departments employing only a small number of industrial workpeople. In such cases negotiations take place with the Trade Unions direct.

### **Trade Joint Councils.**

6. The constitution of a Government Trade Joint Council provides that the members of the Official Side shall be appointed by the Ministers of the Departments concerned (including the Treasury and the Ministry of Labour and National Service) and that the members of the Trade Union Side shall be appointed by the Trade Unions having members in the various establishments.

The other provisions in the constitution are similar to those contained in the constitution of a Departmental Joint Council.

7. The Shipbuilding Trade Joint Council deals with the wages of the various classes of industrial employees of the Admiralty. Failing settlement on the Council, wages questions are referred by joint agreement to the Industrial Court for settlement.

8. The Engineering Trades Joint Council and the Miscellaneous Trades Joint Council deal with matters affecting a number of Departments, e.g., Ministry of Supply, War Office, Air Ministry and Ministry of Works. Matters affecting a single Department are frequently dealt with by direct discussion with the Union or Unions concerned, while the Councils deal with matters of common concern to several Departments or matters which cannot be settled by Departmental negotiation.

Failing settlement on the Engineering Trades Joint Council and the Miscellaneous Trades Joint Council matters are referred by joint agreement to the Industrial Court for settlement.

### **Joint Co-ordinating Committee.**

9. Shortly after the establishment of the Departmental Joint Councils and the Trade Joint Councils it was decided to set up a Joint Co-ordinating Committee for Government Industrial Establishments for the consideration of general service questions affecting Government industrial employees generally. The Official Side of this Committee consists of representatives of the various employing Departments and of the Treasury and the Ministry of Labour and



National Service. The Trade Union Side is composed of representatives of the various Trade Unions having members in Government industrial employment.

10. Below is a list of the various Councils in active operation.

*Departmental Joint Councils:—*

- Admiralty Industrial Council.
- Air Ministry Industrial Whitley Council.
- Ministry of Supply Industrial Council.
- Ministry of Works Departmental Joint Industrial Council.
- H.M. Stationery Office Departmental Industrial Whitley Council.
- War Department Industrial Council.

*Trade Joint Councils:—*

- Engineering Trades Joint Council for Government Industrial Establishments.
- Miscellaneous Trades Joint Council for Government Industrial Establishments.
- Shipbuilding Trade Joint Council.

*Co-ordinating Committee:—*

- Joint Co-ordinating Committee for Government Industrial Establishments.

## LOCAL AUTHORITY SERVICES

11. There are five Whitley Councils covering Local Authority Services, the titles of which are:—

(1) The National Joint Industrial Council for Local Authorities' Non-trading Services (Manual Workers). England and Wales.

(2) The National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services. England and Wales.

(3) The National Joint Industrial Council for Local Authority Services (Scotland). Manual Workers in Non-trading Departments.

(4) The National Joint Industrial Council for Local Authority Services (Scotland). Administrative, Technical and Clerical Staffs.

(5) The National Joint Council for County Council Roadmen. England and Wales.

12. Municipal Road Transport is covered by the National Joint Industrial Council for the Road Passenger Transport Industry which is described in paragraphs 60 and 61. There are also Joint Industrial Councils covering Gas, Electricity and Water, but these are not exclusively Local Authority Services.



**The National Joint Industrial Council for Local Authorities' Non-trading Services (Manual Workers). England and Wales.**

13. This Council covers workpeople employed by Local Authorities in "non-trading" undertakings, i.e. roadways, parks, sewage, cemeteries, baths, libraries, institutions, hospitals, etc., as distinct from "trading" undertakings such as gas, water and electricity. The Council was formed in April, 1919, and arranged for the division of the country into a number of areas and for the formation of a Provincial or District Council in each area. The National Council consists on the employers' side of representatives of the Association of Municipal Corporations, the Urban District Councils Association, the Rural District Councils Association, the London County Council, and, since October, 1943, the County Councils Association. The Provincial and District Councils are also represented on the employers' side of the National Council. The workers' side is represented by the Transport and General Workers' Union, the National Union of General and Municipal Workers and the National Union of Public Employees. The functions of the National Council are to secure the largest possible measure of joint action between employers and workpeople for the development of the Services concerned, and for the improvement of the conditions of all engaged therein; and among its more specific objects is the provision of machinery for the regular consideration of wages, hours and working conditions in the Services concerned. There is also provision for the settlement of differences between Authorities and their workpeople, and for the establishment of machinery for this purpose, where it does not already exist, with the object of preventing disputes and securing the speedy settlement of differences.

Differences reported to the National Council are referred to an Appeals Committee consisting of representatives from each side of the Council whose decision is final.

14. The settlement of wages and working conditions is, in general, left to the Provincial or District Councils, and the National Council is mainly concerned with matters referred to it by an area Council, or with national questions raised direct with the National Council. The National Council has made recommendations to the area Councils in regard to war bonus and other matters.

*Provincial or District Councils.*

15. There are fourteen Provincial or District Councils covering the following areas:—

The administrative County of London, North Metropolitan, Middlesex, South Midlands, East Midlands, West Midlands, Southern Home Counties, South Western, Eastern, Western, Northern, North Western, West Riding of Yorkshire and North Wales.



The whole of England and Wales, with the exception of the North and East Ridings of Yorkshire and South Wales, is covered by the organisation. An additional Provincial Council covering the former areas is in process of formation. The position in South Wales is referred to in paragraph 18 below.

16. The constitutions of the various area Councils are similar. The Councils consist of representatives of the constituent Local Authorities within the area and representatives of the various Trade Unions, together with one employers' representative and one employees' representative appointed by the National Council.

17. The functions of the various Councils differ slightly, but in the main they are to consider any matters referred to them by the National Council and take executive action within the area in connection with decisions arrived at by the National Council or on matters deputed to the Council by the National Council; to make recommendations to the National Council; to consider hours, wages and working conditions, including the codification, unification and amendment of working rules relating to holidays, juvenile labour, overtime, shift system, etc., the zoning of Local Authorities within the area and the grading and classification of labour; to take executive action in relation to such matters, subject to the right of the National Council to veto any such action if it be found to involve the interest of other districts; to act as a Conciliation Board at the request of both parties to a dispute and (1) to investigate the full facts relating to such difference, (2) to make and communicate to the parties the recommendations of the Council, (3) to use all available means of settling the difference and of preventing a strike or lock-out, (4) to refer the difference to the National Council where the area Council is unable to settle the case, and (5) to take steps to ensure that no strike, lock-out or arbitration shall take place until the matter has been enquired into and considered by the National Council.

In practice, resolutions and decisions of the District or Provincial Councils in respect of wages and conditions emanate from the Councils as recommendations, and the constituent Local Authorities are expected to co-operate with the area Councils by themselves adopting and putting into operation the recommendations of the Councils.

18. The Counties of Glamorgan and Monmouth are not covered by the above machinery. There is a Joint Wages Board in respect of each county covering the employees in the non-trading departments of the affiliated Local Authorities within the areas. The Boards act separately, except in connection with matters relating to war bonus recommendations. They consist of representatives of the affiliated Local Authorities and of the Trade Unions who signify their willingness to join the Boards. The functions of the Boards include the fixing of rates of wages and conditions of service for Local Authority manual workers and the consideration of questions relating thereto referred by the affiliated Authorities.



**The National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services. England and Wales.**

19. The Local Authority staffs covered by this Council comprise the following:—

(1) *Professional*.—Officials with legal, medical, scientific, accountancy, secretarial or similar qualifications.

(2) *Technical*.—Civil or Mechanical Engineers, Surveyors, Architects, etc.

(3) *Administrative*.—The duties appropriate to this class are those concerned with the formation of policy, improvement of organisation, general administration of the instructions of the Local Authority, and the control of departments; higher grade work in the legal, technical, accounting and other departments; also professional or technical work of a minor character.

(4) *Clerical*.—Officials engaged in duties dealing with particular matters in accordance with well-defined instructions and regulations.

School teachers and employees whose conditions of service are regulated by other Joint Industrial Councils are not within the purview of the Council.

20. Before 1944, representation on the employers' side of this Council was confined to such individual Local Authorities as were affiliated to the various Provincial Councils. As a result of negotiations between the National Council and the associations of Local Authorities—the County Councils Association, the Association of Municipal Corporations, the Metropolitan Boroughs Standing Joint Committee, the Urban District Councils Association, and the Rural District Councils Association—the constitution of the National Council was amended in January, 1944, to provide for the inclusion on the employers' side of representatives of these associations.

The National Council, as re-constituted, consists, on the employers' side, of 15 members appointed by the above associations of Local Authorities and 15 appointed by and from the employers' sides of each of the existing Provincial Councils. The staff side consists of 15 members nominated by the National Association of Local Government Officers, the National Union of General and Municipal Workers, the National Union of Public Employees, the Transport and General Workers' Union and the Hospital and Welfare Services Union, and 15 appointed by and from the staff side of each of the existing Provincial Councils.

21. The scope of the Council covers all the administrative, professional, technical and clerical staffs of Local Authorities except:—

(1) all Clerks of Local Authorities, provided that it shall be permissible for the Local Authority and such officer to make a joint submission to the Council;

(2) all officers with a basic salary exceeding £700 per annum only as regards the fixation of salary scales, provided that it



shall be permissible for the Local Authority and such officers to make a joint submission to the Council in relation to salary, and

(3) all part-time officers and servants.

22. The function of the National Council is generally defined as "to secure the largest possible measure of joint action for the consideration of salaries, wages and service conditions of the administrative, professional, technical and clerical staffs employed by local authorities, and to consider such proposals in reference to these matters as are submitted to it from time to time by the Provincial Councils." It may take any action falling within the scope of this definition and among its more specific objects is the provision of machinery for the regular consideration of salaries, wages and service conditions, and measures for securing recognition of wages agreements by all Local Authorities and officers. Provision is also made for the settlement of differences which may be referred from a Provincial Council.

23. The settlement of wages and working conditions is, in general, left to the Provincial Councils, and the National Council intervenes and makes recommendations only when matters are referred to it by one or other of the Provincial Councils or it is a national question which has been raised direct with the National Council. Instances in which the National Council has made recommendations to the Provincial Councils include war bonus, and office hours and annual leave during the war.

#### *Provincial Councils.*

24. At a meeting of the National Council held on 22nd April, 1940, it was reported that the chain of Provincial Councils throughout England and Wales had been completed, covering the following areas:—

The administrative County of London, South Metropolitan, North Metropolitan, Middlesex, South Midlands, East Midlands, West Midlands, Southern Home Counties, South Western, Eastern, North Eastern, Yorkshire, Lancashire and Cheshire, North Wales, South Wales.

25. On the Provincial Councils the representatives on the employers' side of each Council are elected from the affiliated Local Authorities within the area. The representatives on the staff sides of the Provincial Councils are chosen from among the following organisations, but all the organisations are not necessarily represented on each Provincial Council:—

National Association of Local Government Officers.  
National Union of Public Employees.  
National Union of General and Municipal Workers.  
Transport and General Workers' Union.  
Hospital and Welfare Services Union.

26. The functions of the various Councils are as follows:—

To consider any matters that may be referred to them by the National Council and to take executive action in connection



with decisions arrived at and matters deputed to them by the National Council; to make recommendations to the National Council; to consider salaries, hours, and other conditions of service; to consider differences between parties and sections of the Service with a view to settlement and in the event of any difference not being settled, to refer the matter to the National Council for decision.

In practice, resolutions and decisions of the Provincial Councils in respect of wages and conditions emanate from the Councils as recommendations and the constituent Local Authorities are expected to co-operate with the Provincial Councils by themselves adopting and putting into operation the recommendations of the Councils.

**The National Joint Industrial Council for Local Authority Services (Scotland). Manual Workers in Non-Trading Departments.**

**The National Joint Industrial Council for Local Authority Services (Scotland). Administrative, Technical and Clerical Staffs.**

27. These two Councils were established in 1937 and their functions, which are identical, are in the main as follows:—

To secure the largest possible measure of joint action between employers and employed for the development of the Services concerned and for the improvement of the conditions of all engaged therein; the provision of machinery for the regular consideration of remuneration, hours and conditions of service, and measures for regularising the Services and employment; the settlement of differences between parties and sections in the Services, and the establishment of machinery for this purpose, where it does not already exist, with the object of securing speedy settlement.

There are, at present, no District Councils as in the case of the similar Councils covering England and Wales, although the constitutions provide for their establishment.

28. On the employers' side each Council consists of representatives of the Scottish Counties of Cities Association, the Convention of Royal Burghs of Scotland and the County Councils Association. The workers' sides are represented as follows:—

(1) *Manual Workers' Council*.—National Union of General and Municipal Workers, Scottish Horse and Motormen's Association, National Union of Public Employees and Transport and General Workers' Union.

(2) *Administrative, Technical and Clerical Staffs' Council*.—National Association of Local Government Officers, Clerical and Administrative Workers' Union, National Union of Public Employees, National Union of General and Municipal Workers and Transport and General Workers' Union.

Both Councils have made recommendations in regard to war bonus payments.



## **The National Joint Council for County Council Roadmen, England and Wales.**

29. This National Council was set up in July, 1941, and arranged for the division of the country into the following areas and for the formation of a Regional Council for each area:—

Northern, Mid-Eastern, Eastern, South Eastern, North Midland, South Midland, West Midland, Southern, South Western, Western, North Wales, South Wales, and Glamorgan and Monmouthshire.

30. The following County Councils do not come within the purview of this Council as they have decided to retain their membership of the Provincial Councils established under the National Joint Industrial Council for Local Authorities' Non-Trading Services (Manual Workers), England and Wales:—

Cheshire, Durham, Lancashire, Middlesex, Warwickshire, and West Riding of Yorkshire.

A Regional Council covering Glamorgan and Monmouthshire has not yet been set up. Negotiations on the matter are however at present proceeding.

31. The National Council consists on the employers' side of representatives appointed as follows:—

One by and from the employers' side of each of the Regional Councils, six by the County Councils Association and four by the employers' side of the National Joint Industrial Council for Local Authorities' Non-Trading Services (Manual Workers), England and Wales.

The Trade Unions represented on the workers' side are the Transport and General Workers' Union, the National Union of General and Municipal Workers, the National Union of Public Employees and the National Union of Agricultural Workers.

32. The functions of the National Council are to secure the largest possible measure of joint action for the consideration of wages and working conditions as they apply to County Council roadmen and for this purpose to consider such proposals as are submitted to them by the Regional Councils. Among its more specific objects are the provision of machinery for the regular consideration of wages, hours and working conditions; consideration of measures for securing recognition by all County Councils and County Council roadmen of agreements relating to wages and working conditions; the settlement of such differences as may be referred to the Council and the establishment of machinery, where it does not already exist, with the object of preventing disputes and the speedy settlement of differences. When a difference is referred to the Council it appoints representatives to sit as an Appeals Committee, whose decision is final. Failing a decision, the matter in dispute may be referred by either side of the Council to the Minister of Labour and National Service for reference to arbitration.



33. The National Council has laid down that the term "County Council roadmen" shall include all workmen employed wholly upon or in connection with county roads either by a County Council or by the Council of any county district to whom powers have been delegated under Section 35 of the Local Government Act, 1929, with the exception of all such workmen as are employed upon county roads in any borough or urban district directly by the Council of the borough or urban district and are paid by that Council.

#### *Regional Councils.*

34. When framing its own constitution and functions the National Council also framed the constitution and functions of the Regional Councils. Each Council consists on the employers' side of representatives appointed by the County Councils within the area from amongst their own respective members and officers. The workers are represented in each case by the Transport and General Workers' Union, the National Union of General and Municipal Workers and the National Union of Public Employees; and, in the case of certain Regional Councils, by the National Union of Agricultural Workers.

35. The functions of the Regional Councils include the consideration of hours, wages and working conditions, including the grading and classification of labour, within their own areas, but they are required, under the terms of their constitution, to obtain the approval of the National Council before taking executive action on such matters. The functions also provide for the consideration of any matters referred to them by the National Council and the taking of executive action in connection with decisions arrived at by the National Council, or on matters delegated to them by the National Council. For the settlement of differences between Authorities and their workpeople it is provided that the Regional Council shall act as a Conciliation Board at the request of either party, make recommendations, use all available means for settling the difference and preventing a strike, lock-out or cessation of work, and take steps to ensure that no strike, lock-out or cessation of work shall take place until the matter has been enquired into and considered by the National Council. Any differences not settled by the Regional Council must be referred, either upon an agreed statement or upon an *ex parte* statement submitted by either party, to the National Council. The same applies to any difference which arises between the two sides of a Regional Council.

### **RAILWAYS.**

#### **I. Main Line Railways.**

36. For the purpose of wages negotiations the staffs of the four main line railway companies fall into four main categories:

(1) the "traffic grades" of locomotive drivers, firemen, motor-men, guards, shunters, signalmen, porters, etc., permanent way men, goods and cartage staff and the supervisory and clerical staffs, e.g., stationmasters, clerks, etc.



(2) the "railway shopmen" who are employed in the building and maintenance of locomotives and rolling stock, in running sheds, in the upkeep or construction of stations, signals and telegraphs, tunnels, bridges, ferries, etc., and the "workshop supervisors," e.g. inspectors and foremen;

(3) employees in electricity generating stations, etc.; and

(4) railway police.

For each of these four categories there exist entirely separate and different means of settling terms and conditions of service.

#### **The traffic grades and supervisory and clerical staffs.**

37. The present machinery for the negotiation of terms and conditions of service of the traffic grades and the supervisory and clerical staffs was established in 1935, and is an example of the centralisation of control by means of a comprehensive written constitution.

38. In 1907, an Agreement was reached, under the auspices of the Labour Department of the Board of Trade, between representatives of a large number of the companies and the railway Trade Unions having membership in the traffic grades. This Agreement provided for the establishment of Conciliation Boards, with final reference to arbitration where necessary, for each of the railways adhering to the scheme, the functions of the Boards being to deal with questions relating to wages and hours of work which could not be settled by direct negotiation.

39. Unrest and a national strike of railwaymen in 1911 led to the appointment of a Royal Commission to investigate the working of the Conciliation Agreement of 1907. Following the report of the Commission, the scheme was revised in December, 1911. Under the revised scheme, questions or differences arising were first dealt with by means of deputations of the men concerned, and failing settlement in this manner, question relating to wages, hours and conditions of work (but not management or discipline) were referable to Conciliation Boards. The Chairman of a Board was selected by the parties, or, failing their agreement, by the Board of Trade, and his decision was final on all matters on which the parties failed to agree. By the end of 1913, chairmen had been appointed for the Conciliation Boards of thirty companies, including all the principal companies except one which had a different kind of conciliation scheme.

40. On the outbreak of war in 1914, the Government took control of the railways, but the new conciliation machinery continued to function until the end of the war. In 1919 and 1920, when the railways were still under Government control, a series of national agreements was entered into between the Railway Executive Committee (acting on behalf of the Government) and the railway Trade Unions, relating to rates of pay and conditions of service of the traffic and clerical grades.



41. In 1921, the Railways Act of that year effected a scheme for the reorganisation and regulation of the railways. It provided for the amalgamation or absorption of about 120 companies into four groups which are now the four main line railway companies. As part of this reorganisation, Sections 62 to 66 of the Act gave effect to a scheme which had been voluntarily agreed upon by the companies and the Unions for the settlement of disputes as to pay and conditions of service. The main features of the scheme embodied in the statute were:—

(1) Each railway company was to have one or more councils consisting of officers of the company and representatives elected by the men employed by the company, the constitution and functions of the councils to be determined by a committee consisting of six representatives of the general managers and six representatives of the railway Trade Unions. Under this provision Local Departmental Committees and Sectional Railway Councils were established in each of the companies.

(2) In default of agreement between the companies and the Unions, all questions as to pay and conditions of service were required to be referred to a Central Wages Board composed of eight representatives of the companies and eight representatives appointed by the Unions.

(3) Appeal from the Central Wages Board lay to a National Wages Board composed of six representatives of the companies, six representatives appointed by the Unions, four representatives of "users of railways," and an independent Chairman nominated by the Minister of Labour.

42. The statutory machinery was used until 1934, but it proved cumbersome in operation, and the National Wages Board had, as the board of appeal, been called on to give a large number of decisions on small issues, and even individual cases, as well as on major issues. In 1933 dissatisfaction with the machinery led the companies to take advantage of a provision of the Act which enabled the machinery to be terminated by notice, and they proposed a new scheme to the Unions. After lengthy negotiations, the companies and the Unions (the National Union of Railwaymen, the Associated Society of Locomotive Engineers and Firemen and the Railway Clerks' Association) concluded a written Agreement in 1935, establishing the machinery which is known as "Machinery of Negotiation for Railway Staff, 1935."

43. The Machinery provided for the continuance of the Local Departmental Committees and Sectional Councils and defined their functions.

44. Local Departmental Committees have as their object to be "a recognised means of communication between the employees and the Local Officials of the Railway Company and to give the employees a wider interest in their work and the conditions under which it is performed, with a view to the maintenance, development and economical working of the Railway Company's business"; and the function of a Local Departmental Committee is



“ to consider any suggestions which may be referred to it regarding such matters as:

- (1) arrangement of link working and transfers from link to link or from depot to sub-depot, and *vice versa*;
- (2) arrangement of working hours, meal intervals, etc.;
- (3) holiday arrangements;
- (4) safety appliances, first-aid, staff accommodation, etc.;
- (5) labour saving appliances, etc.;
- (6) improvements in working methods and organisation;
- (7) measures intended to retain existing traffic or to secure new traffic.”

45. The function of a Sectional Council is “ to consider any of the under-mentioned subjects affecting the grades of employees allocated to the section:—

(1) suggestions as to operating, working and kindred subjects and other matters in which a company and its employees are mutually interested, e.g., co-operation with a view to securing increased business, greater efficiency and economy; the well-being of the staff; general principles governing recruitment and tenure of service;

(2) the local application of national agreements relating to standard salaries, wages, hours of duty and other standard conditions of service.”

Any question which has been dealt with at a Sectional Council but not disposed of, and any proposal to vary a national agreement may be submitted to discussion between the railway companies and the railway Trade Unions. Questions other than minor questions not disposed of may be referred to the Railway Staff National Council (see paragraph 46 (1) below).

46. The Machinery avoided the use of the statutory Central Wages Board and National Wages Board by providing new and different machinery designed to settle matters which cannot be settled by agreement between a company or companies and the Union or Unions concerned. The new machinery comprised:

(1) the *Railway Staff National Council*, which has a constitution similar to that of the former Central Wages Board, the function of the Council being to consider questions, other than minor issues, as to the standard salaries, wages and hours of duty and other standard conditions of service. Issues not decided by this Council may by consent of both sides be referred, according to their nature, to the Railway Staff National Tribunal or to the Chairman of that Tribunal (see below); and

(2) the *Railway Staff National Tribunal*, which is composed of only three members, one being selected by the companies, one by the Trade Unions and one, the Chairman, being appointed by agreement between the companies and the Unions or, failing such agreement, by the Minister of Labour and



National Service after consultation with the companies and the Unions. The two members selected by the companies and the Unions respectively are selected from two panels previously nominated by them and a fresh selection is made for each case coming before the Tribunal. Provision is made for the Tribunal to be assisted by direct representatives of the parties sitting as assessors who have no right to participate in the proceedings otherwise than to put questions for the purpose of elucidating matters of fact. The function of the Tribunal is to decide issues as to standard salaries, wages, hours and other standard conditions of service which have not been settled by the Railway Staff National Council and which have been agreed or decided in a prescribed manner to be "issues of major importance."

47. Provision is made in the agreement for reference to and decision by the Chairman of the Tribunal sitting alone of issues involving interpretation of a national agreement and issues not involving such interpretation and not being minor issues which have not been settled by the Railway Staff National Council. Such a reference may be made only by consent of both sides.

48. The Railway Staff National Tribunal and its Chairman when acting alone are in the nature of arbitral authorities. There is no provision either in the Railways Act, 1921, or in the Machinery of Negotiation for Railway Staff, 1935, to bind the parties to accept decisions. The Machinery of Negotiation for Railway Staff, 1935, provided that "in no circumstances shall there be any withdrawal of labour or any attempt on the part of employees to hamper the proper working of the railway until any matter in dispute has been submitted through the proper channels to the higher management, or, if such matter is within the scope of the Machinery of Negotiation, until the provisions thereof have been fully utilised." The parties to the Machinery of Negotiation have agreed that during the present war decisions of the Railway Staff National Tribunal shall be final and binding.

49. Under the machinery described in the foregoing paragraphs, the basis of the regulation of the wages and salaries of the railway traffic and clerical grades has continued to be national agreements between the companies and the Union or Unions concerned.

The agreements provide for detailed differentiations in rates of pay between the employees according to their occupations and to grades or classes within the occupational groups; and in most cases there is a geographical differentiation. The machinery exists to deal with questions upon which agreement has not been found possible, and it has been freely used.

50. As an addendum to the Machinery of Negotiation there is an agreement bearing the same date (26th February, 1935) between the railway companies and the railway Trade Unions providing procedure in the case of an employee who is charged with misconduct, neglect of duty or other breaches of discipline.



### Railway Shopmen.

51. Railway shopmen are engaged in the building and maintenance of locomotives and rolling stock, in running sheds, in the upkeep or construction of stations, tunnels, bridges and ferries, etc. They are organised in a number of craft Unions and general workers' Unions as well as in the National Union of Railwaymen. The craft-Unions concerned include the Amalgamated Engineering Union, the National Union of Foundry Workers, the Confederation of Shipbuilding and Engineering Unions and the National Federation of Building Trades Operatives.

52. Before 1927, negotiations in regard to wages and conditions of employment were conducted between the railway companies and the various Unions having members in the shops; but there was no conciliation machinery for railway shopmen, although attempts had from time to time been made to establish such machinery. In 1927, however, an Agreement was made between the companies and most of the Unions concerned to set up a scheme to afford full facilities for the discussion and settlement of all questions relating to rates of pay, hours of duty and general conditions of employment for the shopmen. The Agreement provided for Shop Committees, Works Committees, Departmental Line Committees and a National Council.

53. The procedure laid down in the Agreement is as follows:—

“ An employee or group of employees in a shop desiring to raise any question within the scope of this scheme . . . shall, in the first instance, make representations to the foreman of the shop in which he or they are employed. If the answer to the application is not regarded as satisfactory, the employee or groups of employees may (1) at those places where there is a Shop Committee refer the application to that body or (2) at those places where there is no Shop Committee refer the matter to the appointed representative, who may discuss it with the local management. Matters which are not settled by a Shop Committee may be referred to the Works Committee, or if there is no Works Committee at the place, may be discussed between the District Staff Officer of the Trade Union concerned and the local railway management, or may be referred to the head of the Department by the Secretary of the Shop Committee. At places where there is no Shop Committee, matters not settled by the appointed representative with the local management may be referred by him to the Departmental Line Committee. . . . Matters coming within the scope of this scheme which are not settled by the Works Committee or Departmental Line Committee may, if desired, be discussed between the District Staff Officer of the Trade Union concerned and the local railway management, or between the Headquarters officials of the Trade Unions concerned either jointly or severally and the General Manager of the Company. If the Trade Unions acting for railway shop employees desire to raise any questions of a national



character within the scope of this scheme they shall take the matter up jointly with the General Managers of the Railway Companies parties hereto."

The Agreement further provides for the establishment of a Railway Shopmen's National Council for dealing with national questions within the Scheme. Other questions within the Scheme upon which a railway company and the Trade Union or Unions concerned have failed to reach agreement may also be referred to the National Council. The Agreement provides that where the parties fail to reach agreement but are prepared to submit to arbitration, the reference to arbitration shall be to the Industrial Court.

54. The Workshop Supervisors have a separate Scheme of Machinery of Negotiation, the parties to which are the main line railway companies on the one hand and the Association of Supervisory Staffs and Engineering Technicians, the Amalgamated Engineering Union, the Confederation of Shipbuilding and Engineering Unions, the National Union of Railwaymen and the Railway Clerks' Association on the other hand.

The Scheme was established in 1932 and is to afford full facilities for the discussion and settlement of all questions relating to the rates of pay, hours of duty and conditions of service (other than matters of management and discipline) of Male Workshop Supervisory Staff employed by the main line railway companies. The Scheme provides for the establishment of Line Committees (not exceeding four in number on each railway) whose functions are to deal with all matters referred to them in accordance with the Scheme. A Railway Workshop Supervisory Staff National Council is also established for dealing with national questions. Within the scope of the Scheme, matters of general interest involving questions of principle or matters which affect more than one railway, which have not been settled by the Line Committees, may also be referred to the Council.

#### **Electricity generating station staff.**

55. An Agreement similar to that for railway shopmen was made in 1927 between the railway companies and the National Union of Railwaymen and the Electrical Trades Union for dealing with questions affecting the rates of pay, hours of duty and conditions of service of adult male wages staff solely employed in railway generating stations and sub-stations and on high tension cables between them. The Amalgamated Engineering Union became parties to the Agreement in 1929. Provision is made for Local and Line Committees and a National Council. The Agreement provides that if, failing a settlement, it is decided to submit any difference to arbitration, the reference is to be to the Industrial Court. Prior to 1927, wages and conditions of employment were determined by a series of awards beginning with Award No. 2773 of the Committee on Production dated 8th November, 1918 and by agreements.



## **Railway Police.**

56. Section 67 of the Railways Act, 1921, required special arrangements to be made for settling the rates of pay and conditions of service of Railway Police, and a Scheme of Machinery of Negotiation was agreed between the railway companies and the police representatives in 1922.

The Scheme provides for the establishment of Line Conferences for each railway consisting of (1) an Inspectors' Line Conference to deal with matters affecting Inspectors, (2) a Sergeants' Line Conference to deal with matters affecting Sergeants and (3) a Detectives' and Constables' Line Conference to deal with matters affecting Detectives and Constables. The three Line Conferences, or any two of them, may at any time and for any purpose within the Scheme sit together as one Conference by agreement between the parties concerned.

A Central Conference is also established for the purpose of dealing with general matters within the Scheme affecting the police forces of all railways and with disputes referred to it by the Line Conferences. In the event of disagreement between the two sides of the Central Conference, an independent Chairman is required to be appointed with power to give binding decisions. The independent Chairman, when needed, is selected by mutual agreement or, failing agreement, is appointed by the Minister of Labour and National Service.

## **II. London Passenger Transport—Underground Railways.**

57. Part VI of the London Passenger Transport Act, 1933, contains provisions for the establishment of machinery for the traffic grades on the Underground railways. It provided that any question as to rates of pay, hours of duty or other conditions of service should be dealt with by a Negotiating Committee and, on appeal, by a Wages Board, the latter consisting of six representatives of the London Passenger Transport Board, six representatives of the Unions, four representatives of certain organisations representing users of the railways, and an independent Chairman. It has not been found necessary to set up such a Wages Board. The wages and conditions of service of the traffic grades of the Underground railways have been largely influenced by decisions applicable to the four main line railways.

58. The Act also provided for the establishment of one or more councils consisting of officers of the London Passenger Transport Board and representatives of their employees. Schemes were drawn up in 1934 providing separate joint councils for various classes of employees of the London Passenger Transport Board, e.g. (1) traffic grades, (2) certain staff who were formerly members of the London County Council Staff Association and (3) workshop supervisory staff employed in the departments of the Chief Engineer and the Chief Mechanical Engineer.



## ROAD TRANSPORT.

59. For the purpose of wage regulation there are four separate schemes of machinery for road transport. These relate to (1) the haulage of goods, which is subject to the Road Haulage Wages Act, 1938, and is dealt with in Section VIII (2) of this Handbook; (2) municipal passenger transport; (3) company-owned passenger transport; and (4) London passenger transport.

### **Municipal Passenger Transport.**

60. Negotiating machinery for municipal passenger transport consists of the National Joint Industrial Council for the Road Passenger Transport Industry (Tramways, Trolleybuses and Motor Omnibuses) which was formed in 1937 and superseded the Tramways Joint Industrial Council which had included company-owned tramways as well as municipal undertakings. The employers' side of the present Joint Industrial Council consists solely of representatives of municipalities and the deliberations of the Council accordingly relate to municipal employees only. When the constitution of the present Council was drawn up, it was framed on a basis which would have enabled the company-owned undertakings to become parties, but the latter eventually set up, in agreement with the Unions, a separate Council (see paragraph 62 below).

61. The Joint Industrial Council has negotiated wages and conditions of employment on a national, but not a uniform, basis for drivers, conductors and certain classes of maintenance workers other than skilled maintenance workers (see paragraph 64), and has also considered questions of welfare and holidays. There are no local Councils or other joint machinery, apart from arrangements made in respect of individual undertakings. In the event of disagreement on the Council the matter must be referred for arbitration to the Industrial Court or such other body as may be agreed upon.

### **Company-owned Passenger Transport.**

62. Negotiations under the auspices of the Ministry of Labour and National Service resulted in the formation, in 1940, of the National Council for the Omnibus Industry. The employers' side is representative of most of the large omnibus undertakings in England and Wales and the employees' side consists of representatives of the Transport and General Workers' Union and the National Union of Railwaymen, one representative of the National Union of General and Municipal Workers and one member representing jointly the Amalgamated Engineering Union, the National Union of Vehicle Builders and the Electrical Trades Union. When the Council was formed, it was agreed to adopt the existing agreements between the companies and the Trade Unions in regard to rates of wages and conditions of employment. Until June, 1944, the Council had considered only the war wage additions to be made to the agreed rates, and on a few occasions there has been resort to arbitration in accordance with a war-time arrangement under which, in the event of disagreement on the Council,



the Council must set up an arbitration tribunal with an independent Chairman whose decision is final and binding. In June, 1944, the Council concluded a Model Agreement on conditions of employment, which was recommended to individual undertakings for adoption in its entirety in place of existing agreements where this was the desire of the Trade Unions concerned.

63. In Scotland, wages and conditions of service of workers in omnibus undertakings continue to be negotiated directly between the employers and Trade Unions.

64. In August, 1942, a joint committee of representatives of the municipal undertakings and the company undertakings negotiated with the Amalgamated Engineering Union, the Transport and General Workers' Union, the National Union of Railwaymen and the National Union of General and Municipal Workers, Model Agreements covering the wages of skilled maintenance men. The National Union of Vehicle Builders signed these Model Agreements at a later date.

### **London Passenger Transport.**

65. Voluntary agreements regulating the wages and conditions of service of drivers and conductors on the Central London buses, trams, trolley-buses and on country buses and coaches have been arrived at by direct negotiation between the London Passenger Transport Board (or the companies absorbed into the Board on its formation) and the Transport and General Workers' Union.

66. The rates of pay and conditions of service of drivers and conductors are negotiated with the Union in respect of each section (central buses, etc.) separately. Major questions of principle concerning rates of pay or conditions of service are, as a general rule, dealt with between the management and the National Secretary of the Passenger Services Group of the Union and do not pass through the stages of machinery for dealing with day to day business.

67. Questions raised by the staff are submitted by the garage representative to the Board's District Superintendent. Failing settlement the matter proceeds through stages to discussion between the General Manager (Operation) and the National Secretary of the Passenger Services Group of the Union.

### **PORT TRANSPORT.**

68. Port Transport employers and workers are those engaged within a port in the handling of cargo and ballast in or on ship, craft, quay or warehouse, or in the bunkering of coal. The exact meaning assigned to "Port Transport work" in the Port Registration Schemes described in this section varies slightly from port to port.

### **Employers' Organisations.**

69. At the various ports in Great Britain the employers are organised within local Port Labour Employers' Associations, which are members of the National Association of Port Employers. This



body has a regional organisation under which the ports are divided into eight geographical groups.

### **Employees' Organisations.**

70. Port Transport employees are organised in the Transport and General Workers' Union except

(1) at Glasgow and Campbeltown Docks, where the Scottish Transport and General Workers' Union was formed in 1932;

(2) at certain ports on the North East Coast and the East Coast, where the principal Union is the National Union of General and Municipal Workers; and

(3) in London, where the National Amalgamated Stevedores and Dockers (Union) operates in addition to the Transport and General Workers' Union.

At certain ports there are other dock workers, such as riggers, fish dock workers, coal trimmers and tippers, lightermen and tug-boat men, who are sometimes members of other organisations such as the National Union of Railwaymen, the Watermen, Lightermen, Tugmen and Bargemen's Union, and Cardiff, Penarth and Barry Coaltrimmers' Union. These workers are generally covered by national or local negotiating machinery outside the scope of the National Joint Council for Dock Labour described below. They are, however, usually included in the Dock Labour Schemes referred to in paragraphs 79 and 80. In certain cases workers at railway-owned Docks are members of the railway Unions, and come within the scope of the Machinery of Negotiation for Railway Staff, 1935.

### **Port Registration Committees.**

71. The casual nature of dock employment with its rapid fluctuations in the amount of work available, led in the past to the growth of a large pool of labour, the majority of which was under-employed. For many years endeavours were made to de-casualise dock employment as much as possible, and the need for this was emphasised in the Reports of the Shaw Court of Inquiry in 1920 (see paragraph 73 below) and the Maclean Committee of Inquiry appointed in 1930. These efforts resulted in the establishment in a large number of ports of Port Registration Committees to take the first steps toward de-casualisation. These Committees were joint bodies of representatives of employers and workers, and were charged as one of their functions with the setting up of a register of dock workers for the port and regulating entry to the register. Originally all *bona fide* port transport workers who had looked to the docks for employment were included within the register and were thus eligible for employment, but, later, recruitment was restricted and wastage not fully replaced, with the result that the numbers on the registers gradually fell considerably and the under-employment of registered workers correspondingly decreased.

72. Since the outbreak of war, provision has been made in the Dock Labour (Compulsory Registration) Order, 1940, for the



compulsory registration of dock workers and employers with Port Registration Committees (or other body responsible) in ports where Port Registration Schemes are in existence; and complete de-casualisation has been achieved under war-time arrangements whereby, at Merseyside and Clydeside ports, the Minister of War Transport has become the employer of all port transport workers, and at other important ports, the National Dock Labour Corporation has become the employer of such workers when not allocated to a specific port labour employer. These arrangements, which are bound up with the operation of the Essential Work (Dock Labour) Orders, are described in paragraphs 79 and 80.

### **The National Joint Council for Dock Labour.**

73. In 1920, the Minister of Labour appointed a Court of Inquiry under the Industrial Courts Act, 1919, to consider proposals regarding rates of wages and conditions of service for the Industry. This Court, which was under the Chairmanship of Lord Shaw of Dunfermline, recommended (among other things) that a Joint Industrial Whitley Council should be constituted for the Docks Industry. This recommendation was accepted by the Industry and the National Joint Council for Dock Labour came into being in 1920. The functions, constitution, procedure and scope of the Council have grown up as a result of various agreements between the parties since 1920.

74. The National Joint Council for Dock Labour now consists of representatives of the National Association of Port Employers, and representatives of the Transport and General Workers' Union, the National Union of General and Municipal Workers, the National Amalgamated Stevedores and Dockers and (since June, 1944) the Scottish Transport and General Workers' Union.

Broadly speaking the National Joint Council deals with:—

(1) national principles, namely, minimum wage and guarantee, working week, attendance money, holidays with pay, overtime rates, etc.;

(2) the functioning of the Industry's conciliation machinery;

(3) the expression of the collective views of the Industry;

(4) nomination of members and certain directors of the National Dock Labour Corporation; and

(5) delegation to Port or Area (meaning a group of ports) Joint Committees of such powers and matters as are appropriate to them.

75. At each port or group of ports a Port Joint Committee has been set up representative of employers and the Trade Unions concerned. The Committees follow the procedure of the National Joint Council as far as possible and have power to delegate to Standing Joint Sub-Committees such matters as are appropriate to them, especially the settlement of disputes.



### **Disputes Procedure.**

76. Disputes are regarded as falling into two categories, namely:—

- (1) those involving a national principle; and
- (2) those involving local working rules.

Disputes in category (1) above which cannot be settled locally are referred by the Port Joint Committees to the National Conciliation Committee. Those within category (2) are dealt with and settled, if possible, through the machinery of the Port Joint Committee. All decisions of Port Joint Committees are reported to the National Joint Council for record.

The National Conciliation Committee appointed by the National Joint Council deals with any disputes on which failure to agree is notified by the Port Joint Committee. The National Conciliation Committee may appoint from a panel of its members Joint Arbitrators who may proceed to the port in question to settle a dispute is notified by the Port Joint Committee. The National Conciliation Committee is reported to the National Joint Council for final action.

### **Wages Agreements**

77. Basic wages and conditions in the Port Transport Industry were established by a National Agreement between the two sides of the Industry negotiated in May, 1920, on the recommendation of the Shaw Court of Inquiry. The Agreement provided for consequential or special adjustments in the rates for permanent men (such as foremen and other supervisory grades), certain maintenance men, watchmen, etc., coal porters at particular coal bunkering ports and pieceworkers, and also prescribed overtime and weekend overtime rates. As a result of subsequent negotiations various other matters regarding working conditions have been agreed and various fluctuations in the minimum daily rates have taken place. In addition to the National Agreements, local agreements are in existence at each port, covering tonnage and piece rates and working conditions peculiar to that particular port.

### **War-Time Arrangements.**

78. In order to ensure a quicker turn-round of ships in the ports and the building-up of a regular and mobile force to handle rapidly and efficiently the heavy traffic passing through the ports during the war, the Government decided upon the following measures, subsequent to the compulsory registration of port transport workers and employers mentioned above.

Regional Port Directors were appointed by the Minister of War Transport to secure the most efficient use of the ports within their Region, and Port Emergency Committees which had been set up prior to the outbreak of war were brought under their direction. These Committees are representative of the principal interests concerned, i.e., Port Authority, shipowners, traders, road, rail (and in appropriate cases canal) transport employers and labour. They possess certain statutory powers with the purpose of regulating, facilitating and expediting the traffic at the ports at which



they are concerned. There is also a Shipping Representative who collaborates with the Port Emergency Committee, Port Authority and other interested parties, to secure the most efficient and economical use of shipping.

79. In addition to the above, the Minister of War Transport became the employer of all registered dock workers in the Merseyside, Manchester and Preston areas as from 10th March, 1941, and in the ports of Glasgow and Greenock as from 13th April, 1941. The Ministry of War Transport and the Ministry of Labour and National Service, after consultation with representatives of the employers and Trade Unions concerned devised schemes laying down the terms and conditions under which the port transport workers were to be employed. Under these schemes "approved" port transport employers have been registered with the Regional Port Directors as contractors to the Minister of War Transport. Port transport workers are allocated to these employers by the Regional Port Director according to need, and while they are working for these employers the existing national and local agreements covering rates and conditions of employment generally apply. When the men are not allocated for work they remain in a reserve pool, and so long as they observe the conditions of the scheme they receive each week, in addition to their pay for work done during the week, a guaranteed payment less a fixed deduction in respect of each turn of work during the week, including turns worked on Sunday and in overtime periods, but not on Saturday afternoon.

80. In September, 1941, the National Dock Labour Corporation, Limited, was established in agreement with the National Joint Council for Dock Labour to carry out at all other important ports functions somewhat similar to those carried out by the Ministry of War Transport under the schemes referred to above for Merseyside and Clydeside. The members of the Corporation are nominated by the National Joint Council. Its Directors are a Chairman and Vice-Chairman appointed by the Minister of Labour and National Service after consultation with the National Joint Council, a Financial Director appointed by the Minister, and six Directors appointed by the National Joint Council. The Corporation has a General Manager and other officers including a Port Labour Manager at each port or group of ports where the Corporation operates. In contemplation of the introduction of an Essential Work (Dock Labour) Order the National Joint Council for Dock Labour negotiated terms and conditions which were embodied in Dock Labour Schemes devised by the National Dock Labour Corporation and approved by the Ministry of Labour and National Service. These schemes provide (among other things) that port transport workers will be retained in a "reserve pool" in the employ of the Corporation when not allocated to a specific employer. When in the reserve pool a man is paid, over and above the wages earned during allocation, a fixed sum for every occasion on which he attends one of his normal eleven calls and is not allocated. When allocated to work for a specific dock labour employer, rates and



conditions are governed by existing national and local agreements. The Essential Work (Dock Labour) Order was made in September, 1941, and applied where an approved Dock Labour Scheme had been introduced at a port. A revised Essential Work (Dock Labour) Order was made in July, 1943. This provides *inter alia* that in any Dock Labour Schemes subsequently approved by the Minister, the National Dock Labour Corporation should maintain the live register of port transport employers and workers and make any necessary amendments. No schemes have yet been submitted to the Minister for approval under this Order.

## ENGINEERING.

81. The Engineering Industry fabricates and manipulates from the products of the iron, steel and non-ferrous metal, and, in recent years, the plastics industries. It is concerned with the manufacture, assembly or repair of goods or articles of iron, steel, non-ferrous metals and plastics by the use of machine tools, and includes the foundries and forging plants which produce for the manufacturing, assembling and repair establishments. It is only possible to describe here the arrangements which operate in the principal sections of the industry, where there are agreements to which the Engineering and Allied Employers' National Federation and its federated local Associations are parties, with various Trade Unions. There are a number of sections forming part of, or closely allied to, the Engineering Industry which have separate negotiating machinery, e.g., Cutlery and Edge Tool Manufacture, Nut, Screw and Bolt Making, Lock, Latch and Key Making, the Railway Workshops, Electrical Cable Making, etc.

82. On the employers' side there are forty-nine local Associations of firms, large and small, engaged in various branches of Engineering, which are affiliated to the Engineering and Allied Employers' National Federation. The Federation was founded in 1896. Among the workpeople the largest Union is the Amalgamated Engineering Union (A.E.U.) which was formed in 1920, by the combination of the Amalgamated Society of Engineers with nine other Unions. It caters for fitters, turners, millwrights and other skilled machinists who in pre-war days made up a third of the Industry, and also for smiths, coppersmiths, brass finishers, etc., for semi-skilled workers and recently for women. There are upwards of forty other Trade Unions having an interest in the Industry, some of them with their centres of gravity in other industries. Foundry workers, boilermakers, patternmakers, brass and metal mechanics, electricians, coppersmiths and braziers, vehicle builders, wood-cutting machinists, sheet metal workers, etc., are catered for by various craft Unions. Unskilled workers are mainly represented by the Transport and General Workers' Union and the National Union of General and Municipal Workers. These Unions, and, more recently, the A.E.U., also cater for women in the Industry. For the purposes of important national agreements



and negotiations the greater number of the Unions, but excluding the A.E.U., have been linked together in the Confederation of Shipbuilding and Engineering Unions (see paragraph 110). The National Union of Foundry Workers joined the Confederation in May, 1944. The A.E.U. has joined with the Confederation of Shipbuilding and Engineering Unions in an organisation known as the National Engineering Joint Trades Movement, which has dealt with matters affecting all manual trades.

83. There are no nationally agreed basic rates of wages for men in Engineering, and some of the district rates have never been embodied in a formal agreement. There has been a tendency in recent years towards greater uniformity by means of national agreements on war bonus, the working week, overtime and shift work, annual holidays, payment for work done on public holidays, etc. The parties to the national agreements are the Engineering and Allied Employers' National Federation and various Unions with whom the Federation negotiates nationally in special conferences. In matters affecting all manual trades the Federation has conferred with the National Engineering Joint Trades Movement. Certain national agreements covering manual workers are recorded as between the Federation and "Unions affiliated to the Engineering Joint Trades Movement." The Federation has negotiated nationally with the Transport and General Workers' Union and the National Union of General and Municipal Workers (and since 1943 with the Amalgamated Engineering Union) on women's wages and with these Unions and also with certain craft Unions on the "extended employment of women" during the war. The Federation has recognised certain Unions (see paragraph 93) as representing clerical workers and also has agreements on certain matters with the Association of Engineering and Shipbuilding Draughtsmen, the Association of Supervisory Staffs and Engineering Technicians ("A.S.S.E.T.") and the Association of Scientific Workers.

84. There exist between the Federation and those Unions with whom the employers maintain a relationship, forms of procedure for the avoidance of disputes and for dealing with "questions arising." These are described in the following paragraphs.

#### **Procedure for Manual Workers.**

85. There is a comprehensive Memorandum of Agreement dating from June, 1922, to which the parties are the Federation on the one hand, and on the other the majority of Trade Unions having an interest in the Industry. The Trade Unions now parties to the Agreement include the A.E.U.; the National Union of Foundry Workers; most members of the Confederation of Shipbuilding and Engineering Unions (but excluding "A.S.S.E.T.", the Association of Scientific Workers, the Association of Engineering and Shipbuilding Draughtsmen and the Clerical and Administrative Workers' Union); a number of other small craft Unions; the Constructional Engineering Union in respect



of members normally employed inside Engineering establishments the Iron and Steel Trades Confederation in respect of members employed in Engineering establishments and subject to Engineering working conditions; the Amalgamated Society of Woodworkers and the National Union of Musical Instrument Makers in respect of aircraft work; and the Chemical Workers' Union in respect of hourly paid manual workers. The Agreement begins with the formula that "the employers have the right to manage their establishments and the Trade Unions have the right to exercise their functions." A procedure is then set out for dealing with "questions arising," with Provisions for Avoiding Disputes. Within the terms of the opening formula the procedure is of general applicability. It is specifically stated to apply to general alterations in wages, alterations in working conditions which are the subject of formal agreements, and alterations in the general working week; such alterations may not be put into operation until procedure has been exhausted.

86. The Agreement provides for the appointment and recognition of Shop Stewards and for the appointment of Works Committees of Shop Stewards and representatives of the Management but whereas the Stewards have become general, Committees of the kind contemplated have probably been less common. Shop Stewards are appointed by and subject to the control of their Unions. Briefly the agreed procedure to be followed when a question arises in a federated establishment at which Stewards have been appointed, is—interpreted according to the practice to the industry—as follows. Workers desiring to raise any question in which they are directly concerned must, in the first instance, discuss it with their foreman. If the matter is not disposed of, it is taken up with the Shop Manager or Head Shop Foreman by the appropriate Shop Steward and one of the workers concerned. If no settlement is then reached a Works Conference may be held. The term "Works Conference," though in common use, does not appear in the Agreement; if there is a Works Committee it may meet at this stage to consider the question referred up; where there are neither Committee nor Stewards, deputations of workmen may be received by the employer by appointment "without unreasonable delay." It should be noted that the local permanent official of the Union concerned can enter at this stage, and if he is present a representative of the local employers' federated association must also attend. Failing settlement at Works Conference the next stage is Local Conference, which must normally be held within seven working days of asking for it and at which local officials of the employers' association and the local or district or area officials of the Trade Union concerned attend to conduct the case.

87. The final stage is Central Conference, which is held on the second Friday of each month at York (occasionally elsewhere), and at which only national representatives of the Federation and officials of the Trade Union concerned are normally regarded as eligible to be



present; local representatives may attend in a consultative and advisory capacity. Central Conference does not make binding awards. Its function is to make an agreed recommendation on a dispute referred to it, or to record failure to agree, in which event procedure is exhausted and the parties are free to decide on a course of action. Central Conference also sometimes refers a case back to the locality, either for further consideration, which means that in the event of continued failure to arrive at a settlement the question returns to Central Conference, or for final settlement, which means that if a settlement cannot then be found locally procedure is exhausted and the parties are free to decide on a course of action. There is no provision for arbitration, and in general, joint voluntary resort to arbitration has been infrequent. Since the introduction of the Conditions of Employment and National Arbitration Order, 1940, there has been frequent recourse to arbitration by the National Arbitration Tribunal.

88. It is open to an employer to raise a question and the procedure then operates in the same way. It is possible in suitable cases to start the procedure at the Local Conference stage. General questions may arise locally which are common to several Unions, and if these societies are affiliated to the Confederation of Shipbuilding and Engineering Unions and are also individually parties to the Provisions for Avoiding Disputes, the appropriate Confederation official can with their authority be present at the various Conferences. Local Secretaries of the Confederation are entitled to make application for Local Conferences, with the authority of affiliated Unions concerned. The General Secretary of the Confederation is entitled to refer questions not settled at Local Conference to Central Conference, similarly with the authority of the Trade Unions. Settlements reached are union settlements and the Confederation acts only as a co-ordinating body.

89. One of the underlying principles is that each stage of the proceedings removes the question under discussion further from the immediate disputants, while at the same time there can be no recourse to an outside party until all the stages have been gone through. Further, it is expressly laid down that until procedure has been exhausted, there shall be no stoppage of work of either a partial or a general character.

#### **Procedure for Junior Male Workers (manual).**

90. The Federation has agreements with the A.E.U. and with the Confederation of Shipbuilding and Engineering Unions setting out machinery of negotiation applicable to apprentices, boys and youths (manual workers) under 21 years. It is the spirit of this procedure that questions shall be referred to the management by the "junior male workers" themselves. If no settlement is reached the youths can refer to the appropriate Shop Steward who will be entitled independently to discuss the matter with the management, and failing agreement then, the youths may report the matter to the Divisional Organiser or District Secretary of their Union. They can, if they wish, refer any question arising direct



to the divisional or district official, who may consult with the Secretary of the local employers' association if he wishes to carry the matter further. There is provision for Local Conference (between the local employers' association and adult local representatives of the Union) and beyond that for central discussions (between the Federation and the Union Executive). Junior male workers may not be associated with the discussion of any question raised by adult workers under their procedure. Apprentices serving under indentures or agreements between the employers and the parents or guardians are not covered by procedure; the Federation undertakes, however, to recommend its members to apply to such workers, conditions not less favourable than those conceded to other apprentices by settlements made under the machinery of the agreements.

#### **Procedure for Junior Female Workers (manual).**

91. It is understood that questions can be raised in the same manner as for adult workers.

#### **Special Procedure Agreements for Manual Workers.**

92. Some of the dilution agreements between the Federation and individual Unions provide for special relaxation procedure. Notably the Agreements of January, 1942, between the Federation and the United Society of Boilermakers and Iron and Steel Shipbuilders make provision for Special Central Conference in London. Similarly the Agreements of May, 1940, in respect of the Extended Employment of Women between the Federation, the two general workers' Unions and the A.E.U. provide that questions arising shall be dealt with through the Provisions for Avoiding Disputes and that in the event of failure to agree locally the matter is to be dealt with expeditiously by a Special Central Conference in London.

#### **Procedure for Non-manual Workers: clerks, draughtsmen, etc.**

93. The Federation has three procedure Agreements with Unions catering for such workers: (1920) with the National Union of Clerks and Administrative Workers (now the Clerical and Administrative Workers' Union) in respect of "clerical work-people"; (1940) with the National Association of Clerical and Supervisory Staffs (which is a group of the Transport and General Workers' Union) in similar terms; (1924) with the Association of Engineering and Shipbuilding Draughtsmen in respect of draughtsmen engaged in Drawing Offices or in Designing, Calculating or Estimating Departments, and of tracers, but excluding chiefs, assistant chiefs and such like, and also excluding apprentices.

94. All these Agreements are based on the Provisions for Avoiding Disputes of the manual workers (i.e. the scheme of works consultation and subsequent conferences) with modifications and without Shop Stewards. It is an essential feature that other Trade Unions are excluded from the operation of these special Agreements and that these three Unions are not to be associated with manual workers' questions. In the Agreement with the



National Association of Clerical and Supervisory Staffs the following appears:—

“ for the purpose of the agreement the Association will act as an entirely free and independent organisation;

the word “ supervisory ” in the Union’s title having reference to other activities of the organisation shall not be construed in this agreement to connote application to any supervisory classes in the engineering industry.”

95. The three Agreements prescribe the freedom of employers to become federated and of workers to join the Union or to refrain from so doing. The draughtsmen’s Agreement while of general application is specifically related to general alterations in wages; alterations in working conditions which are the subject of agreements or are mutually recognised; and alterations in the general working week. It also contains the following clause:—

“ The procedure does not apply to managerial acts by the employers but any questions resulting from the operation of such acts shall be dealt with hereunder.”

96. The Association of Engineering and Shipbuilding Draughtsmen has an Agreement (1939) with the Federation relating to apprentices and young persons under 21 years in Drawing and Tracing Offices which follows closely the agreements for similar categories of manual workers; the “ junior staff workers ” as they are called, and the junior male workers in the manual grades are for procedure purposes segregated in the same manner as the adult workers.

**Procedure for Non-Manual Workers: foremen, chargehands, technicians, scientific workers, etc.**

97. The employers have tended to regard their foremen as members of the management who have the right to raise any question with senior members of the management. The position of chargehands depends on whether they are regarded as manual workers or as staff. The following formula suggested by the Federation was accepted by the A.E.U. on 2nd October, 1941:—

“ If a man is employed on staff conditions, but is subject to the authority of the foreman and is not responsible for engagement or dismissal of other workers, and works with the tools or uses instruments in the normal course of his work, he should be regarded for the purpose of representation by a Trade Union as a workman. If, however, he is in the position of having authority over other workers and does not in normal circumstances work with tools, although he may use measuring instruments in the case of appeal or final test or in the course of exercising his duties over his subordinates, he should not be regarded as in the category covered by the machinery of negotiations between ourselves and your organisation.”

98. There is an Agreement between the Federation and the Association of Supervisory Staffs and Engineering Technicians



("A.S.S.E.T.") in respect of supervisory and technical grades. This provides that every effort should be made to settle differences without reference to "A.S.S.E.T." Where, however, an employee and management cannot settle any question arising between them "A.S.S.E.T." may be called in provided this Association has a majority membership in the particular employee's grade in the establishment concerned.

99. There is an Agreement between the Federation and the Association of Scientific Workers which follows, with some modifications, that of the draughtsmen. It relates to certain "staff members employed in a scientific or technical capacity," and provision is made for consultation in the works between staff concerned and the management, and for Local and Central Conference.

### **Dilution.**

100. In the Engineering Industry a body of customs and privileges has been built up which is ancillary to all formal wages and conditions agreements. Such customs are concerned, among other matters, with the craftsman's status and his right to certain jobs. War-time requirements have accelerated the introduction of new processes of manufacture and large numbers of workers (including women) lacking the experience or the particular skill of Engineering craftsmen have been brought into the Industry. Skilled jobs have had increasingly to be broken down into a succession of simple operations. Interchangeability of workers on each other's jobs has frequently been necessary.

101. To meet this situation the Federation and the various Trade Unions concerned drew up a series of war-time agreements providing for the "dilution" by alternative and semi-skilled labour of work previously reserved for particular categories of Engineering craftsmen. Changes in practice made under these agreements must be registered and employers must revert to the pre-agreement practices as and when such craftsmen become available. As regards women brought into the Industry for war purposes, it was arranged to treat them as being, in general, only temporarily employed. They can qualify, after a probationary period, for the same wage rates and national bonus of men they replace.

### **Joint Production Consultative and Advisory Committees.**

102. The interest of the workers in production and their right to be consulted has been recognised in an Agreement of March, 1942, between the Engineering and Allied Employers' National Federation and the Confederation of Shipbuilding and Engineering Unions, the A.E.U. and the National Union of Foundry Workers, which provides for the establishment of Joint Production Consultative and Advisory Committees. (See Section IV).

### **Wages Agreements.**

#### *Male Time Workers.*

103. Before the war of 1914-1918, wages in the Industry were settled locally and recognised rates for the various classes of



workers gradually became established in the different districts—in some cases by custom and in others by agreement. Generally speaking, in each district where the Industry is carried on to any appreciable extent, at least two such rates became established, one for fitters and turners and the other for labourers. These “basic rates” as they are now called varied, and still vary, from district to district. General advances totalling 7s. per week conceded in federated districts between August, 1914, and 1st April, 1917, were subsequently merged into the pre-1914 basic rates. In addition, a measure of levelling up of basic rates has been achieved in certain areas.

Over and above the basic rates there is payable to labourers and craftsmen alike a uniform national bonus which originated from and was frequently varied by arbitrations during the war of 1914-1918 and immediately after, and has since been varied from time to time by negotiation or arbitration.

On 20th March, 1943, in Award No. 326, the National Arbitration Tribunal increased all existing district basic rates by transferring to them 20s. (per standard week of 47 hours) from the national bonus.

From time to time agreements have been concluded, some local and others national, for extra payment to be made to particular classes of skilled workers such as patternmakers, toolroom workers, millwrights, maintenance men, etc. There is also in operation a recognised practice of paying merit bonuses and “allowances” to workers.

#### *Male pieceworkers.*

104. The general conditions of piecework are controlled by national agreements, but there are no standard piece rates. It has been a provision of national agreements since 1919 that the piece rates, which are fixed in the establishment, shall be such as to enable workmen of average ability to earn a minimum percentage over the appropriate basic rate for time work. In 1919, such an Agreement was made between the Employers' Federation and nine Trade Unions. Many similar agreements were subsequently made with other Unions and since 1922 the principal agreements have been of a uniform character. Before 1931 the minimum percentage was  $33\frac{1}{3}$ ; subsequently it was reduced to 25 per cent. until National Arbitration Tribunal Award No. 326 increased it to  $27\frac{1}{2}$  per cent. on the revised basic rate. Prices are settled by agreement between workers and managements with ultimate resort if necessary to the Provisions for Avoiding Disputes, and a piece price once established may not be altered except on account of a mistake in its calculation, or of a change in the material or method of production or of the quantities, or by a new agreement. In addition to piecework earnings, pieceworkers receive a uniform national bonus related to the standard 47 hour week.

#### *Women.*

105. The wages of women engaged on work normally done by women are the subject of a national Agreement between the Em-



ployers' Federation and the two general workers' Unions. There is a national schedule of women's wages including basic rates and national bonuses appropriate to age groups from 14 to 21 and over. The wages of women taking the place of men during the present war or doing work hitherto performed by male labour (the "extended employment of women") are the subject of a number of national agreements between the Federation and the various Unions concerned.

Women on piecework enjoy the same general conditions as men. *Apprentices, boys and youths.*

106. The wages of these classes are calculated as a percentage (varying according to age) of the district rate and national bonus of the fitter. The pieceworkers' percentage over basic rates is  $27\frac{1}{2}$ .

#### **Conditions of Employment.**

107. The working week, the computation of payment for overtime and for shift and night working, holidays with pay, and payment for work done on days recognised as public holidays in the various districts have all been regulated by national agreements. Payments to men sent by their employers to work away from home, and travelling allowances, have been in general left to be the subject of district agreements.

#### **SHIPBUILDING AND SHIP-REPAIRING (OTHER THAN GOVERNMENT ESTABLISHMENTS).**

108. There are three types of establishments in this Industry "new work," "repair" and "composite" shipyards. The general division is between shipbuilding (new work) and ship repairing. A very high proportion of employers and workpeople engaged in the Industry are members of organisations. The employers are in local associations which cover practically every important district. These associations are affiliated to the Shipbuilding Employers' Federation. The local associations representing employers in the Ship-repairing Industry on the Thames, Mersey and Bristol Channel did not become affiliated until 1922 and have in some degree preserved their local arrangements. The tendency has, however, been for the practices in these areas to come into line with those of the Industry generally and in many general matters they are now covered by the arrangements made by the Federation. In recent years a number of local Associations of Boat Builders have been formed, which are not affiliated to the Shipbuilding Employers' Federation. Some of them have reached agreements with the Confederation of Shipbuilding and Engineering Unions and the Amalgamated Engineering Union.

109. On the workpeople's side there is a large number of Unions grouped in the Confederation of Shipbuilding and Engineering Unions, representing most of the grades of workers in the Industry. There are some local variations, but in general frame turners and platers, riveters and holders-up, caulkers



angle iron smiths, burners and welders are organised by the United Society of Boilermakers and Iron and Steel Shipbuilders; shipwrights and drillers by the Shipconstructors' and Shipwrights' Association; plumbers by the Plumbers', Glaziers' and Domestic Engineers' Union; joiners by the Amalgamated Society of Woodworkers; painters by the National Amalgamated Society of Operative House and Ship Painters and Decorators and the Scottish Painters' Society; sawmillers and woodcutting machinists by the Amalgamated Society of Woodcutting Machinists; blacksmiths by the Associated Blacksmiths' Forge and Smithy Workers' Society; electricians by the Electrical Trades Union. Platers' helpers, red-leaders, scaffolders and staggers, and labourers are covered by the National Union of General and Municipal Workers and the Transport and General Workers' Union, and these two Unions have also, to some extent, organised catchers and rivet-heaters. Cabinet makers, french polishers, upholsterers, etc., are looked after by various appropriate Unions; draughtsmen are organised in the Association of Engineering and Shipbuilding Draughtsmen. Engineering workers (fitters, turners, foundry workers, etc.) employed in shipyards are catered for by the Amalgamated Engineering Union, the National Union of Foundry Workers, etc.

110. The Confederation of Shipbuilding and Engineering Unions was re-constituted under its present title in 1936. The administration of its business is in the hands of a General Executive Council, consisting of representatives of the affiliated societies, each elected according to their own respective rules. The constitution provides for two national groups—Shipbuilding and Engineering—each being governed by an Executive Council appointed by the Annual Meeting of the General Executive Council. The Group Executive Councils have autonomy on purely industrial matters and are vested with authority to contract new agreements in the name of the group, which are subject to endorsement by the General Executive Council. The business of the Confederation is conducted at regular quarterly meetings and there is a full-time General Secretary. District Committees exist in all the main shipbuilding areas under the direction and control of the General Executive Council. These District Committees can deal with any question within the general rules of the Confederation and affecting members of the affiliated Unions within the Industry in the district.

### **Procedure regulating the Relations between Employers and Work-people.**

111. General fluctuations in the level of wages, as distinct from the determination of the actual rates of wages themselves, are regulated by an Agreement made in 1913 between the Employers' Federation and eleven Trade Unions. This provides for the holding of conferences to discuss any application for a general fluctuation (which is defined as a change due to the general conditions in the industry) and directs that any general fluctuations



shall apply to all the trades "in every federated firm at the same time and to the same extent." Conferences on general wages applications are now held when necessary between the Shipbuilding Employers' Federation and the Confederation of Shipbuilding and Engineering Unions.

112. Provision for dealing with questions other than general fluctuations is contained in an Agreement of 1926, between the Shipbuilding Employers' Federation and the Unions belonging to the Federation of Engineering and Shipbuilding Trades (predecessor of the Confederation). Agreements on similar lines were signed in 1926 and 1927 between the Employers' Federation and other shipyard Unions (who were not members of the Federation of Engineering and Shipbuilding Trades but are now affiliated to the Confederation). A Memorandum of Agreement was drawn up on December 12th, 1928, between the Employers' Federation and the Boilermakers' Society whereby the two parties undertake to observe the terms of the procedure Agreements signed by the other shipyard Unions in 1926 and 1927, subject to certain supplementary clauses in connection with the settlement of piecework questions.

113. The main features of the procedure to be followed when any question (other than general fluctuations) arises are:—

*Yard Meetings and Local Conferences.*—(1) Mutual discussions between the employers and a deputation of the men concerned to be held in the yard or at the place where the question has arisen, (2) failing settlement, and if desired, a further meeting which may be attended also by an official of the local employers' association and an official of any Trade Union directly concerned, (3) failing settlement, a Local Conference between the local employers' association and representatives of any Trade Union directly concerned.

If the question is a general one or affects more than one establishment, the matter may proceed direct to stage (3).

*Central Conference.*—Where Local Conference has failed, either party may refer the question to a Central Conference between representatives of the Employers' Federation and of the Unions directly concerned. The dates and times of Central Conferences are in practice arranged to suit the convenience of the parties. Any question not settled at Central Conference may, by mutual consent, be referred to arbitration.

*General Conference.*—Failing settlement at Central Conference or mutual consent to arbitration, either party may refer the matter for final settlement to a General Conference between representatives of the Employers' Federation and all the Trade Unions who are parties to the Agreement. Such Conference is presided over by an independent Chairman appointed by the parties to the Agreement or, in the absence of agreement, nominated by the Minister of Labour and National Service. The independent Chairman has no power to determine or vote upon the matter.



(N.B.—This provision as to a General Conference is in abeyance during the war, an understanding having been reached that, failing settlement in Central Conference, matters may be reported to the Minister for settlement by the National Arbitration Tribunal under the Conditions of Employment and National Arbitration Order, 1940.)

114. The procedure in the case of questions relating to piecework or piece prices is more elaborate in respect of Yard Meetings and Local Conferences. The provisions of the Agreement of 1926 are to the effect that:

(1) questions arising in connection with piecework and piece prices shall wherever possible be settled by mutual discussion in the yard or dock where they arise;

(2) failing settlement under (1), such questions shall be brought before a Joint Committee consisting of three employers and three representatives of the Union(s) directly concerned, none of whom shall be connected with the yard or dock concerned;

(3) failing settlement in Joint Committee, the questions shall be brought before a Local Conference between the local employers' association and representatives of any Trade Union directly concerned. (If a question affects more than one yard or dock it may be raised direct in Local Conference without a reference to a Joint Committee.)

If at a Local Conference the parties fail to settle but agree that the question affects only one yard or dock or is a question of interpretation of a district price list, the matter may by mutual consent be referred to arbitration;

(4) in the event of failure to settle a question in Local Conference and failing reference to arbitration, either party may refer it to be dealt with by Central Conference on the lines described above.

115. The Association of Engineering and Shipbuilding Draughtsmen are not parties to any formal agreement of procedure with the Shipbuilding Employers' Federation but it is understood to have been mutually agreed that any question arising should be dealt with on similar lines to the procedure to which the other Trade Unions are parties.

### **Demarcation.**

116. Questions arise from time to time in the Shipbuilding and Ship-repairing Industry as to the appropriate class of workpeople to do a particular kind of work. In some areas demarcation lists govern certain trades. Changes in methods of production give rise to demarcation difficulties, often of a highly technical character. Some use is from time to time made of a National Demarcation Agreement completed in 1912 between the Engineering and Shipbuilding Employers' Federations on the one hand and twenty-three Trade Unions on the other. The Boilermakers' Society was not a party to this Agreement which related to all the



shipbuilding areas but not to the main repairing areas. It provides for prompt local settlement of any demarcation question arising, the management being empowered to give a temporary decision on which the work shall proceed. Decisions apply only to the particular establishment affected and a national application of decisions is not provided for. Unions not parties to the Agreement sometimes observe the procedure laid down when involved in a dispute with signatory Unions.

117. There are agreements in certain areas which provide for interchangeability between trades and these assist in reducing demarcation questions to a minimum. There is also some procedure available between certain Unions for dealing with demarcation difficulties. For example, as between the Boilermakers' Society and the Shipwrights' Association there is an Agreement in regard to the erection of prefabricated sections, the essence of which is local negotiation between representatives of the two trades in the yard concerned, and in the event of failure to settle, joint discussion on the executive level. There are in certain localities special agreements between trades, for instance between shipwrights and joiners on the Clyde, whereby demarcation disputes are referred automatically to arbitration.

#### **Yard and District Consultative Committees.**

118. The application of the Essential Work Order to the Industry in 1941 led to the voluntary establishment of Yard Committees in most undertakings (in so far as they were not already in existence) following agreement between the Shipbuilding Employers' Federation and the Confederation of Shipbuilding and Engineering Unions. The Committees consist of representatives of the employers and of the whole of the workpeople employed in an undertaking. Election of the workpeople's representatives is carried out by ballot arranged by the District Committees of the Confederation. The Yard Committees deal with matters of a general character in the yard affecting the best use of labour; are available for consultation on any questions arising as to the services which any person may reasonably be asked to perform outside his usual occupation; and deal with disciplinary questions connected with absenteeism, lateness, knocking-off work before stopping time, failure to comply with orders, refusal to work overtime or behaving in such a manner as to impede effective production.

119. In a later Agreement between the Shipbuilding Employers' Federation and the Confederation of Shipbuilding and Engineering Unions in 1942, the functions of the Yard Committees were extended for the period of the war to include consultation and advice upon matters affecting the increase of production and the improvement of efficiency in the establishments. The Yard Committees do not interfere with the normal functions of the employers and the Trade Unions and do not discuss wages or other matters covered by agreements or normally dealt with by custom or practice under the negotiating machinery of the Industry.



120. District Consultative Committees have been set up in the main shipbuilding and ship-repairing areas consisting of three representatives nominated by the local employers' association and three by the District Committee of the Confederation. The Committees are under the Chairmanship of the District Shipyard Controller (who is the Flag Officer or other Naval Officer appointed by the Admiralty). Their functions are advisory in regard to the best use of labour; the arrangements in the district for the engagement, transfer and dismissal of men; the grouping of undertakings registered under the Essential Work (Shipbuilding and Ship-repairing) Order to facilitate transfers within the group; arrangements for recording cases of absenteeism, lateness, refusal to work overtime, etc. The Committees may also advise the District Shipyard Controller on questions arising as to the services which any person may reasonably be asked to perform outside his usual occupation.

### **Wages Agreements.**

#### *Time Workers.*

121. There have existed since 1930 National Uniform Plain Time Rates on new construction work. In practice the application of these rates is limited to the time working trades and to the small number of men outside those trades who, by reason of age or impaired physical capacity, are no longer able to work at piece-work speed, or who for some reason prefer to be paid at time rates. The time working trades, ignoring war-time changes and local variations, have, in general, included cabinet makers, electricians, french polishers, painters, plumbers, sheet metal and sheet iron workers, shipwrights, joiners, upholsterers, woodcutting machinists and sawyers.

There is a National Uniform Plain Time Rate for the following groups: fully skilled classes who have served an apprenticeship; platers' helpers engaged with pieceworking or lieu working platers; blacksmiths' strikers engaged with time working blacksmiths; unskilled classes; apprentices, boys and youths, by year of apprenticeship and by age.

122. The National Uniform Plain Time Rates are made up of a basis rate and a standard national bonus. Since 1930, when the rates were first introduced, certain local variations have been eliminated and the scheme is now generally applicable in new shipbuilding districts. All classes receive a repair or dirty work allowance over the appropriate new work plain time rate when engaged on ship repair work. (This repair allowance is added to time rates only, and is not applied on top of lieu rates which are specifically arranged for repair work.) Changes in the plain time rates have been by addition to the standard national bonus, which was increased on five occasions between 1936 and 1939 by agreement between the Shipbuilding Employers' Federation and the Confederation of Shipbuilding and Engineering Unions. War bonuses were added in February, 1940, and January, 1943, by



joint agreement, and in addition the National Arbitration Tribunal have on three occasions awarded increases to be applied in the same manner as the uniform bonus.

123. Plain time rates for semi-skilled classes are generally arranged on a district or yard basis and are normally fixed at so much per hour above the national uniform plain time rate for unskilled workers, the amount of the differential being determined by the nature of the work undertaken by the semi-skilled class concerned.

124. In addition to the normal wages, allowances are payable to workpeople engaged on certain kinds of work (confined spaces, dirty work, etc.). These are generally the subject of local agreements.

125. The wages of engineering craftsmen employed in federated shipyards are in practice generally regulated by the fluctuations in the Engineering and not in the Shipbuilding Industry. This practice, however, is rarely laid down in a formal collective agreement and there are exceptions to it.

#### *Piece and Lieu Workers.*

126. It has always been the practice for a large proportion of Shipbuilding work to be carried out by piecework, particularly in the iron working trades. The various craftsmen catered for by the Boilermakers' Society are in the main employed on piece rates (when engaged on new work) and lieu rates (when engaged on repair work). Lieu rates may be described as enhanced hourly rates fixed in relation to work which cannot be accurately priced on a strict piecework basis, but which is carried out at piecework speed by traditionally pieceworking classes. During the war agreements have been reached authorising the extension of payment by results to other categories such as electricians and painters. Payment by results is also increasing among shipwrights.

127. The determination of piecework prices is generally a matter for arrangement in the yards or in the locality. In most of the principal areas there are district piecework price lists for the majority of the traditional piecework trades. Piecework may be done single-handed (each job being done by one workman working by himself and receiving the piece price of the job), or as group piecework (the work being carried out by a number of men working together). The remuneration of workers engaged on group piecework takes a variety of forms. In some cases all the workmen on a job share a lump piece price in specified proportions. In other cases only the leading members of a gang are remunerated on a piece basis, the subordinate workers being paid time wages (which are commonly higher than the time wages of men of a similar class in time working gangs). Such subordinate workers may be paid in part by the senior members of the squad (the firm being responsible at least for their national bonus).

128. The arrangements vary among the various pieceworking trades. Platers' piecework prices are generally contained in lists



applicable to particular yards and take into account the variety and volume of work in each job. Platers' helpers are normally paid on a time work basis. They receive an enhanced rate (as described above there is a national uniform rate in new shipbuilding districts), the basic portion of which normally comes out of the squad's earnings and the balance out of the Company office. For pieceworking riveting squads there are a number of important district lists (e.g. the Clyde List). The method of dividing earnings among the riveters, holders-up (or holders-on) and rivet heaters who make up the squads, varies from district to district and sometimes from yard to yard. The remuneration of the rivet heaters (who take no part in negotiating the lists) is a very variable factor: there can sometimes even be wide variations between different groups in the same yard. Broadly, they are remunerated in the following ways: either they receive a proportion (or a percentage) of the squad's piecework earnings, or so much out of each £ earned by the squad, or a flat shift rate (which is sometimes accompanied by gratuities). Piecework lists are in existence for caulkers and drillers. Blacksmiths' and angle-iron smiths' work is also largely done on a piece basis.

129. The war-time extension of pieceworking among time working trades, e.g., electricians and painters, has tended to favour the group system, involving the sharing out of lump prices paid for the job. This extension could only be carried out on a basis of individual yard arrangements, because there was insufficient detailed information available on which to build district price lists, and because trade practices, among the time working classes in particular, vary considerably from yard to yard.

130. Increases in wages have been given to pieceworkers since 1936 simultaneously with those given to time workers. Up to September, 1939, these were in the form of percentages, an increase of 2 per cent. for every shilling rise in the time workers' national bonus resulting in a total of 20 per cent. by that date. Since then advances, at present totalling 23s. 6d., have been given as flat rate increases, as with the time workers.

### *Women.*

131. In accordance with an Agreement of July 17th, 1941, between the Shipbuilding Employers' Federation and the Confederation of Shipbuilding and Engineering Unions, a large number of women have been brought into the Industry during the war to perform work normally done by men. This Agreement lays down the rates (consisting of basis rate and bonus) to be paid to skilled, semi-skilled and unskilled classes. After a qualifying period of eight months, during which a special rate is payable, women aged 21 and over, if able to perform without extra assistance or supervision the whole of the duties of the male workers for whom they are substituting, receive the full time rate and bonus of those workers. Where for any reason women are unable to perform the whole of the duties of the male workers, special rates are payable. Women under 21 receive the age



group rates paid to boys and youths, irrespective of the work on which they are employed.

132. A list of all women introduced in Shipbuilding and Ship-repairing to meet war-time requirements must be kept by each firm. The employment of women on skilled work is further regulated by agreements, between the Shipbuilding Employers' Federation and various craft Unions, in regard to relaxation of existing customs and practices. There is also an Agreement between the Federation and the Amalgamated Engineering Union providing for the employment of women on skilled engineers' and machinists' work in those areas where such work is not covered by the corresponding Agreement in the Engineering Industry.

#### **Dilution (Men).**

133. In June, 1940, the Shipbuilding Employers' Federation concluded an Agreement with the Boilermakers' Society for a measure of relaxation of existing customs to meet war-time conditions. This Agreement provided that all internal lines of demarcation between sections of members in the Society should be suspended to permit of the fullest degree of interchangeability, and that where necessary and under due safeguards (including recording), skilled men from other trades and semi-skilled men, might be introduced into the Boilermakers' Trade during the war. The Federation also reached agreement with certain craft Unions to permit of dilution on skilled work, subject to local consultation and to registration. There is also an Agreement with the Amalgamated Engineering Union covering the employment of engineers where the corresponding agreement of the Engineering Industry does not operate.

#### **Conditions of Employment.**

134. A working week of 47 hours is general in the Industry but in the Port of London the working week is 44 hours. There is a national Agreement of 1923 (modified in 1924) relating to overtime, night shift working, and Sunday and Holiday working for both time and pieceworkers. At certain ports there are more favourable local agreements in existence on these matters. A national Agreement of 1938 makes provision for holidays with pay on similar lines to that in operation in the Engineering Industry. There are national war-time agreements providing for certain allowances towards daily travelling expenses of transferred workers employed in shipbuilding and repairing establishments, and to workers transferred from their home districts.

### **BUILDING.**

#### **I. England and Wales.**

135. In the Building Industry there is a high degree of centralisation of control of the fixing of standard rates of wages, hours of work and other conditions of employment, and the present machinery for negotiation and dealing with disputes has been arrived at by a lengthy process of evolution.



As early as 1899 in the plastering trade there was an Agreement of a national character which provided for the formation of local committees to deal with trade disputes as they arose, and a central standing joint committee to consider those cases which could not be settled locally.

In 1904 there was also set up by Agreement a more elaborate scheme for conciliation in trade disputes in which bricklayers, stone masons, carpenters or joiners were involved. The parties to the Agreement were employers' national federations and the Trade Unions catering for the trades concerned. Under this scheme disputes were dealt with in the first instance by purely local joint trade committees composed of representatives of the employers and operatives in the particular trade affected. Failing a settlement, the matter in dispute was referred to a local conciliation board composed of representatives of employers and all the Trade Unions which were parties to the scheme. If disagreement continued there was further reference to a Centre (or Area) Board and from that if necessary to a National Conciliation Board. The rules provided that at any stage of the proceedings matters in dispute might be referred to arbitration by consent of the parties.

In the years immediately preceding the war of 1914-1918 the system of collective bargaining was already widely established, but the agreements were usually local in character (the locality being usually a single town). In most cases, they were made separately for individual occupations and there was no formal means of co-ordinating them. During the war years up to 1918, increases in rates of wages were made on the basis of purely local agreements, by the addition of fixed amounts which were usually the same for all classes of operatives. Apart from these increases, little change was made in the pre-war system of agreements.

136. In 1918 the two sides of the above-mentioned National Conciliation Board, influenced by the anomalies existing in regard to wages, entered into a comprehensive wages Agreement which provided for the maintenance of the existing local agreements so far as they did not conflict with the new Agreement, and contained other provisions to ensure a co-ordinated application of general wages changes. Later in that year the employers' federations and the Unions agreed upon the desirability of greater uniformity of real wages and conditions and began a movement, which spread rapidly, for securing the regulation of wages and conditions on a regional basis by means of Regional Joint Councils.

137. In 1919 the national federations of employers and workers adopted the principle of national uniformity of hours of work; and in 1920 they agreed to regulate wages and other conditions on a national (but not necessarily uniform) basis. This Agreement resulted in the formation of a National Wages and Conditions Council for the Building Industry which had the functions of regulating wages and hours, grading towns for the purpose of wage regulation and regulating allowances which were



capable of national adjustment. The Regional Joint Council remained in existence to settle other matters and to assist the National Council in the work of grading and regrading towns. This scheme, with minor modifications, remained in operation until 1932. In the interval the title of the National Wages and Conditions Council was altered to the National Joint Council for the Building Industry. In 1932 an Agreement was reached under which the duties of the National Conciliation Board were transferred to the National Joint Council.

The 1932 Agreement is the basis of the present machinery of negotiation in the Building Industry in England and Wales. The Agreement enunciates the principle that wages and conditions "shall be determined on a national basis," but makes elaborate provision to secure that proper regard is had to local diversities of circumstance. The machinery for giving effect to the Agreement consists of a National Joint Council, and Regional, Area and Local Joint Committees.

#### **National Joint Council.**

138. The National Joint Council consists of not more than forty members, half of whom are appointed by the National Federation of Building Trades Employers, the National Federation of Plumbers and Domestic Engineers (Employers) and the National Federation of Roofing Contractors and half by the Trade Union Operatives. It is the duty of the Council to deal (in accordance with rules and regulations laid down in the constitution) with rates of wages, grading of towns, working hours, extra payments, overtime, night work, walking time, travelling and lodging allowances, and to settle any differences or disputes which may arise.

The National Council is required to appoint a Grading Commission and a Conciliation Panel as well as Procedure and General Purposes Committees, and in carrying out their duties the National Council is required by the rules and regulations to delegate certain functions to Regional, Area and Local Joint Committees.

#### **Regional, Area and Local Committees.**

139. The Regional Joint Committees (covering large areas or groups of areas or districts as arranged by the National Council) are designed to serve as connecting links between the National Council and the localities; and their constitution was provided for by regulations appended to the main Agreement. There are nine regions (North Western, Northern, Yorkshire, Midlands, Eastern Counties, Southern Counties, South Western, South Wales and Monmouthshire and London).

140. The appointment and constitution of Area Joint Committees were left to the discretion of the Regional Committees. The province of the Area Committees is a large district or a group of districts as might be specified by the Regional Committee, and their function is to serve as a further link in the chain of communication and procedure laid down by the Agreement.



Purely Local Joint Committees were provided for districts the extent of which was determined by themselves subject to the overriding power of Regional Committees to determine the boundaries of a district.

141. The membership of each type of committee is composed of representatives of employers' organisations and Trade Unions in the region, area or district concerned. The procedure followed varies according to the nature of the subject being dealt with.

#### **Wages Agreement.**

142. For the purpose of wages regulation, the 1932 Agreement provided that the various towns and districts outside London should be classified into ten "grades" in respect of each of which "datum standard rates" of wages were laid down as applicable to craftsmen. The lowest of these grades has now fallen into desuetude. The Agreement provided for annual determination of "current standard rates" by way of additions to or deductions from the datum standard in accordance with a scale based on variations of the Ministry of Labour cost-of-living figure. The rates for craftsmen in the inner and outer London areas respectively were determined in the Agreement by the addition of specified amounts to the highest of the grade rates; and the rate for labourers in any district was fixed at 75 per cent. of the rate for craftsmen in that district. Certain increases above the position justified by the scale have been granted subject to certain conditions, and the current Grade A rate is above the position justified by a strict reading of the cost-of-living scale. There is a temporary provision under which craftsmen and labourers both receive war-time increases in full so that the labourers' rate is 80 per cent. of that of craftsmen. The current standard rates were amended in April, 1943, not by reference to the cost-of-living sliding scale, but by an amendment to the rules which varied the datum standard rates themselves.

143. Variation of the datum standard rates is the prerogative of the National Council. The grading of towns and districts is performed "nationally" by the Grading Commission appointed by the National Council, but it is permissible for any district to make application for a variation of its classification, such applications being submitted through the appropriate Regional Committee, which has power to make a recommendation to the Grading Commission. Provision is also made for departures from current standard rates by way of:—

(1) "exceptional margins" which apply to all occupations in the particular locality, and operate only for a prescribed period; and

(2) "differential margins" which apply to a section of the Industry only (e.g. a single occupation) in the particular locality, but continue for an indefinite period.

Applications for the granting of exceptional or differential margins are dealt with by the Grading Commission, but only if the



Procedure Committee is satisfied that a regrading of the district is not appropriate. The number of towns and districts which have been graded exceeds two thousand. The number of exceptional margins granted during the war has been considerable, but the number of towns and districts carrying differential margins is small.

### **Working Rules.**

144. "National Working Rules" annexed to the Agreement lay down the duration of the normal working week and working day and the rates of pay for overtime and night working and the allowances to be paid for walking time, travelling and lodging, together with a scale of extra payments to be made to workmen engaged on exceptional kinds of work such as scaffolding, dirty work, hot work and work at an exceptional height, etc. Provision is also made for holidays with pay (see Section IX of the Handbook). The Local Joint Committees have the general duty of regulating the operation of the rules and in particular have power to limit the working of overtime on more than six consecutive days, subject to appeal to the Regional Committee. They also have the duty of defining the boundaries beyond which walking time allowances are payable.

145. It is open to any party in any district to initiate a proposal to vary the working rules. Proposals must first be considered by the appropriate regional body, but no variation is possible unless and until the consent of the National Council has been obtained.

### **Disputes Procedure.**

146. In the event of a trade dispute arising, the Agreement provides that it shall be dealt with, without stoppage of work, in accordance with the provisions of a comprehensive Agreement made in 1927. This provides for a procedure with successive stages of (1) Local Conference of officials of the organisations concerned, (2) reference to Disputes Commissions, appointed by Regional Joint Committees, (3) reference to a Disputes Commission appointed by the National Joint Council, and (4) Joint Conference of the national executive committees of the parties to the Agreement.

In the event of the National Joint Council failing to agree on any matter, the matter may be referred to the Industrial Court or to an independent arbitrator or arbitrators, provided a majority of each side of the Council agrees to this course. The decision is then final and binding.

### **War-time Modifications.**

147. The following modifications of the normal arrangements in the Building Industry have been introduced during the present war:—

(1) As a war emergency measure, the consideration of variations of current standard rates of wages in accordance with changes in the cost of living takes place at intervals of four months instead of annually.



(2) In 1940, the parties to the National Joint Council for the Building Industry together with the parties to the Civil Engineering Construction Conciliation Board entered into a Uniformity Agreement by which a Joint Board was established to deal with wages and other questions on large sites where work of national importance is being carried out. The main provisions of the Agreement are that the basic rates of wages payable to craftsmen and labourers employed on jobs to which the Agreement is applied shall be the basic rates as prescribed from time to time for craftsmen and labourers respectively by the National Joint Council for the Building Industry, and that no exceptional margin higher than the top rates of the gradings determined by the National Joint Council may be paid. Various alterations were made in the working conditions and rules for payment of overtime. A guarantee against broken time was given by which if a man was available for work but was prevented from working he would be guaranteed a payment at plain time rates of 30 hours in any one week. Special provisions were also introduced, on account of the remote situation of some sites, for a variation in travelling allowances, and for the payment of fares to return home at certain intervals.

(3) Prior to the war there were no pieceworkers in the Industry. In June, 1941, it was made a condition of the scheduling of sites under the Essential Work (Building and Civil Engineering) Order that, where practicable and desirable, remuneration should be calculated on a system of payment by results. A scheme to give effect to this decision was accordingly introduced by Government decision in July, 1941, which laid down for certain operations in the Industry, the rates of bonus payable and the conditions under which bonuses could be paid. Subsequently, as a result of consideration and recommendation by a Joint Advisory Panel composed of representatives of employers' and workers' organisations in the Industries, various whole or partial revisions of and additions to the schedules of rates have been made. No unauthorised methods of bonus are permitted whether agreement is reached with the operatives on the site or not.

(4) Defence (General) Regulation 56AB (S.R. & O's. 1941 No. 1038 and 1944 No. 745) provides that after 1st October, 1941, no person may carry out building or civil engineering work unless he holds a certificate issued by the Minister of Works and that such conditions as to hours of employment (including conditions as to Sunday work) are observed as the Minister of Works may direct. Before granting a certificate, the Minister has to satisfy himself that the terms and conditions of employment are "neither more nor less favourable than" the appropriate terms and conditions of employment fixed by joint agreement or by arbitration. A certificate may be revoked or suspended if this requirement is not satisfied. The Regulation also provides for the control of entry of new firms into the Building and Civil Engineering Industries.



148. The foregoing description relates primarily to the main machinery of negotiation in the Building Industry in England and Wales. Comprehensive as the machinery is, it is not entirely so. For example, a separate Agreement having no reference to the national machinery exists in the Liverpool district. In 1942 the Liverpool, Birkenhead and Wirral Employers' Association resumed membership of the National Federation of Building Trades Employers but the Liverpool Working Rules and Conditions had to remain for the time being as previously agreed pending negotiations to bring them into line with those of the National Joint Council for the Building Industry. Similarly, when the Building and Civil Engineering Industries Holidays with Pay Scheme was introduced it was necessary to make special arrangements to deal with the position of men employed in Liverpool, which already had its own arrangements for holidays with pay.

## II. Scotland.

149. In Scotland there are separate employers' organisations but many of the Scottish Trade Unions are affiliated to the National Federation of Building Trades Operatives. There is a joint agreement similar generally to that operating in England and Wales, but it does not cover all building trade occupations.

Prior to 1930 there was a Scottish Regional Council of the National Joint Council for the Building Industry. This, however, did not represent the plumbing, plastering, painting nor to a great extent the bricklaying interests. The employers' side of the Scottish Regional Council consisted of representatives of the Scottish National Building Trades Federation employing joiners, slaters, and labourers, and also bricklayers not covered by the Scottish Building Contractors' Association. The Trade Union side was composed of representatives of the National Federation of Building Trades Operatives, but a number of Unions in Scotland were not at that time affiliated to this body.

### Scottish National Joint Council.

150. In June, 1930, the Scottish National Building Trades Federation (employers), which was one of the signatories of earlier national agreements covering Great Britain, resigned from the National Federation of Building Trades Employers, and in agreement with the National Federation of Building Trades Operatives a separate Scottish National Joint Council for the Building Industry was set up. A national Agreement was adopted by this Council in 1932 and is still in force. This Agreement does not cover the plumbing, plastering, painting or glazing trades.

151. The Council's Agreement is a composite document similar to that for England and Wales, consisting of the constitution, rules and regulations of the Council together with the working rules on particular subjects. Provision is made for the determination of wages, hours, etc., on a basis applicable throughout Scotland for the performance by the Council of duties substantially similar to those in England and Wales, for the appointment of Standing



Committees dealing respectively with procedure and grading and of a General Purposes Committee dealing generally with all matters other than grading and procedure. The arrangements for settlement of disputes and differences are not so detailed as those for England and Wales. There is no Conciliation Panel as in the English Agreement, but the Council in addition to having authority to interpret its own decisions as and when necessary, also has the power to intervene in disputes. Machinery similar to that of the English Agreement is provided for making constitutional and other amendments, but there are no Regional or Area Joint Committees. The Council has, however, authority to delegate such powers as are provided to Local Joint Committees who deal with questions of overtime, the fixing of grade district boundaries and the general regulation of the operation of the working rules. Either side of a Committee in a case of disagreement has the right of appeal to the Council.

### **Wages Agreements.**

152. The 1932 Scottish Agreement provided that various towns and districts should be classified into grades to which "standard rates" based on the official cost-of-living index would apply, the labourers' rate being 75 per cent. of the craftsmen's rate in each grade. The current Agreement makes provision for six grades. "Standard rates" were to be varied by the Council in accordance with a scale based on detailed variations in the cost-of-living figure. Certain increases above the position justified by the scale have been granted subject to certain conditions, and the current Grade A rate is above the position justified by a strict reading of the cost-of-living scale. There is a temporary provision under which craftsmen and labourers both receive war-time increases in full so that the labourers' rate is 80 per cent. of that of craftsmen.

The grading of towns and districts is carried out by a Grading Committee. Any town or district may apply to the Committee for an alteration in its grade, and provision is made for temporary alterations in grade classification by means of "exceptional rates."

### **Working Rules.**

153. The National Working Rules are identical in many respects with those for England and Wales but there are certain important differences. No provision is made as in England and Wales for the normal weekly hours to be extended during the summer months, the rules governing overtime are different, and in the rule relating to "night gangs" there are regulations dealing with two-shift and three-shift systems which do not appear in the English Agreement.

### **War-time Modifications.**

154. Paragraph 147 above applies equally to Scotland. A separate Joint Board for the administration of the Uniformity Agreement has, however, been established under the title of the



Scottish Joint Board whose functions are similar to those of the English Board. It is the practice in Scotland for all jobs to which the Uniformity Agreement is applied to be awarded Grade A classification.

### **Trades outside the scope of the Scottish National Agreement of 1932.**

#### *Plasterers.*

155. Although both sides of this section of the Industry have recently become affiliated to the National Council the operatives still have a separate Agreement with the employers which comprises a Scottish national rate as distinct from the district grade rates fixed by the Council. It is understood that this position is at present the subject of negotiations.

#### *Painters.*

156. A Scottish National Painters' and Decorators' Joint Council was in operation for many years up to the end of 1943 when the Scottish Painters' Society, which in 1942 had become affiliated to the National Federation of Building Trades Operatives and the National Joint Council, withdrew from the Scottish Council. It is understood that a revised basis for determining wages and working conditions has not yet been settled.

#### *Plumbers.*

157. The working rules and regulations for the plumbing trades were agreed upon in 1931 between the Scottish Federation of Plumbers' and Domestic Engineers' (Employers') Association and the Plumbers', Glaziers' and Domestic Engineers' Union. They were also signed by the National Federation of Building Trades Operatives to which the second party to the Agreement is affiliated. The rules provide that the standard rate of wages and the standard hours of labourers shall correspond with those agreed upon by the Scottish National Joint Council, but they differ from the Council's rules in other respects.

#### *Glaziers.*

158. The Employers' Association was affiliated to the National Council until recently. Glaziers are represented by the Plumbers' Union on the Council, but there is also a Glaziers' Union which is not affiliated. Building Trade wages and conditions apply generally in this section of the Industry.

## **IRON AND STEEL MANUFACTURE**

159. These notes refer only to the arrangements and agreements operating at blastfurnace plants, i.e., the production of pig iron from iron ore; and in the Heavy Steel Industry comprising steel melting and rolling. The references to the location of the various sections of the Industry relate to the pre-war years.

160. For the purposes of the Essential Work (Iron and Steel Industry) Orders, a considerable number of the organisations



described below have concluded agreements making special provisions in regard to the guaranteed wage for the workers concerned. These provisions supersede the guaranteed wage stipulations of the Essential Work (General Provisions) Order.

### I. Pig Iron Manufacture.

161. Wages and conditions of employment are regulated by national agreements and by district and works agreements operating in Cleveland and Durham; Cumberland and North Lancashire; North Lincolnshire; North Staffordshire; South Staffordshire; Nottinghamshire and Derbyshire; Northamptonshire; the West of Scotland; South Wales and Monmouthshire. The parties are employers' associations and their members on the one hand and the Unions representing the blastfurnacemen on the other. Typical employers' associations are the Iron and Steel Trades Employers' Association; the Lincolnshire Ironmasters' Association; the South Staffordshire Ironmasters' Association; the Northamptonshire Blastfurnace Owners' Association; the West Coast Ironmasters' Association and the Scottish Ironmasters' Association. There is also a central body, the National Council of Associated Ironmasters, to which most of the Associations named are affiliated and which has entered into certain national agreements with the National Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades in which the workers in most districts are organised. Other Unions concerned include the Iron and Steel Trades Confederation (mainly in relation to blastfurnace plants in Scotland), the National Union of General and Municipal Workers and the various craft Unions in respect of the maintenance workers.

162. The usual procedure for the settlement of questions of a general character is by their being dealt with at a meeting or conference or through Joint Committees. In the case of questions affecting individual works, the usual procedure, failing settlement at the works in question, is to refer the matter to a Reference or Neutral Committee composed of employers' and workers' members from works other than that at which the question arose.

163. Work is usually continuous for the seven days of the week on a system of three 8-hour shifts so arranged that each worker works 48 hours per week. Agreed conditions of working are similar in the various districts and wages have in general been regulated by selling-price sliding scales.

164. The selling-price sliding scales in most districts were stabilized by an Agreement operative from May, 1940, between the National Council of Associated Ironmasters and the Blastfurnacemen's Union, and a cost-of-living scale introduced. This scale was modified in November, 1942, and July, 1944.

165. An Agreement of September, 1942, between the Council and the Union (replacing an earlier war-time agreement) provides for the introduction of women and girls for the duration of the war on to work previously performed by men and boys. The



Agreement provides for the payment, after a preliminary period of twelve weeks, of the full rate of the male labour replaced, provided the woman or girl can perform the work without additional supervision or assistance. In the case of women replacing men on labouring work, the Agreement recognises the impracticability of assessing individually the extent to which each woman can perform the work of a man replaced, and the method of fixing a common rate for women replacing men on labouring work is specified in the Agreement.

## II. Heavy Steel Manufacture.

166. The principal association of employers dealing with wages and conditions in the Heavy Steel Industry is the Iron and Steel Trades Employers' Association which was formed in 1922 by the amalgamation of the Steel Ingot Makers' Association, the North of England Iron and Steel Manufacturers' Association, the Midland Steel Rolling Mill Employers' Association and the Scottish Steel Makers' Wages Association. The Iron and Steel Trades Employers' Association has agreements covering the Heavy Steel Industry in England and Wales and the West of Scotland. Certain firms engaged in the Heavy Steel Industry in the Sheffield district, in steel manufacture (particularly for the tin plate and sheet trade) in South Wales and Monmouthshire, in steel rolling in the Midlands, and firms engaged in steel sheet rolling and in the production of tin plate are covered by agreements made by separate employers' associations and by Joint Boards.

167. The Trade Union most generally party to the agreements is the Iron and Steel Trades Confederation which came into existence in 1917. Following a conference late in 1915 of practically all the Unions in the Iron and Steel Industry, a scheme was drawn up for the establishment of a "Central Association," to be known as the British Iron, Steel and Kindred Trades Association (familiarily "BISAKTA"), which was to be responsible for general matters of organisation and benefits. At the same time the Iron and Steel Trades Confederation was devised as a kind of parallel organisation with an Executive Council formed from representatives of the Executives of participating Unions and of the Central Association. The Confederation was to deal with all trade questions affecting wages and conditions of employment and to assume the conduct of all negotiating machinery. Three Unions, with a total membership of about 50,000, adopted the scheme. They surrendered to the Central Association the function of enrolling new members, and to the Confederation the regulation of their industrial relations, but continued for a time to keep their separate identities. In due course, however, they merged themselves completely into the centralised organisation, as did certain other Unions. The present position is that about 100,000 workers employed at steel melting furnaces and in rolling mills and forges are catered for by this organisation.



The National Union of General and Municipal Workers, the National Union of Enginemen, Firemen, Mechanics, Motormen and Electrical Workers (the Power Workers' Group of the Transport and General Workers' Union) and various Unions catering for rollturners, mechanics and other workers engaged on maintenance and the upkeep of plant, are also parties to agreements in the Heavy Steel trades.

168. As in the case of Pig Iron Manufacture the principle of controlling the fluctuations of wages by means of selling-price sliding scales, has been generally adopted in all districts with the exception of the firms in Sheffield which follow Engineering conditions. These sliding scales have also, as in the case of Pig Iron Manufacture, been stabilized for the war period and cost-of-living scales introduced.

### **Steel Melting and Steel Rolling Mills.**

169. Steel melting shops on the North-East Coast, in Cumberland, Lancashire, South and West Yorkshire, Lincolnshire, the Midlands, the West of Scotland and in certain cases in Wales are covered by agreements to which the employer party is the Iron and Steel Trades Employers' Association. These agreements are also applicable in the steel rolling mills in the Heavy Steel trade in most districts. The basic rates of melters at open hearth furnaces were regulated by an Agreement concluded in 1930 between the Employers' Association and the Iron and Steel Trades Confederation. This Agreement fixed scales of tonnage rates for weekly outputs of different types of furnace and under different practices, determined the "melting week," set out the method of the division of the yields of the tonnage rates as between first, second and third hands, etc., and laid down time rates for watching, flowing and fettling, bottoming and melting solidified charges.

170. The basic rates of other workers in the melting shops and in the rolling mills under consideration have not been similarly defined by national agreements but are fixed by works agreements, and in the case of certain grades there also exist district agreements between the Iron and Steel Trades Employers' Association and the Iron and Steel Trades Confederation and other Unions. National agreements between the Iron and Steel Trades Employers' Association, the Iron and Steel Trades Confederation and the National Union of General and Municipal Workers have also dealt with general alterations to existing local basic rates of lower paid workers. Basic wages may be in the form of plain time or datal rates, tonnage rates, time and tonnage or time and bonus. Basic wage rates have in general been subject to fluctuations of selling-price sliding scales. The most important of these is the "basic" (as opposed to "acid") melters' sliding scale which was originally agreed in 1905 between organisations subsequently merged in the Iron and Steel Trades Employers' Association and the Iron and Steel Trades Confederation. The Agreement provided for quarterly assessments of certain average net selling prices, which are measured against an agreed standard; wages then rise or fall at a given rate per cent. for each unit rise or fall



in the selling price. "Acid" melters follow the scale at a lower percentage. The scale was in course of time applied to practically all workers in and around steel melting shops and rolling mills in the heavy steel trade covered by the Iron and Steel Trades Employers' Association. The scale was amended in 1936 by reducing the agreed standard price and thereby increasing the percentage addition to wages.

171. By Agreement of March, 1940, between the Iron and Steel Trades Employers' Association and the Iron and Steel Trades Confederation, the melters' sliding scale was stabilized at a stated percentage and a cost-of-living additional payment was introduced. The cost-of-living scale was modified in November, 1942, and July, 1944. These provisions "made due to war circumstances" are without prejudice to future regulation of wages in accordance with the melters' sliding scale. Similar agreements have been made between the Iron and Steel Trades Employers' Association and other Unions whose members' wages are subject to the melters' sliding scale.

172. The Iron and Steel Trades Employers' Association, the Iron and Steel Trades Confederation and the National Union of General and Municipal Workers have an Agreement of April, 1942, (replacing earlier war-time agreements) authorising the employment during the war of female labour to replace male labour and prescribing the rates to be paid. The provisions of the Agreement are similar to those of the Agreement of September, 1942, between the National Council of Associated Ironmasters and the National Union of Blastfurnacemen referred to above under "Pig Iron Manufacture."

173. The machinery of negotiation between the parties to these agreements in the melting shops and the steel rolling mills now in question has been built up by custom and practice over a number of years and in many cases has not been embodied in formal agreements. The typical procedure was however described in a Memorandum annexed to the Memorandum of Agreements dated May, 1938, between the Employers' Association, various Ironmasters' Associations and the Amalgamated Union of Building Trade Workers as follows (the trade union references are to the A.U.B.T.W.):—

"Questions that arise at individual Works are dealt with in the first place between the Works Management and the Workmen concerned.

"Differences that arise at individual Works are dealt with between the Works Management and the men concerned, who shall have the right to call in the shop representative and/or the District Secretary of the Iron and Steel Section or the National Organiser.

"Failing a settlement, the matter shall be referred to a Neutral Committee consisting of two employers' representatives and two Iron and Steel Works Bricklayers, chosen from an Associated Works neutral to the Works where the dispute exists.



There is also present on behalf of the Employers their Secretary and on behalf of the Workers their National Organiser. . . . The case is stated on behalf of the Employers and Workers respectively, and witnesses are heard if necessary. After this has taken place the witnesses are excluded and the Neutral Committee then proceeds to consider the case and gives its decision. The decision is recorded in a memorandum which is signed by the Neutrals on each side and by the Employers' and the Workers' Secretary.

" Failing settlement by a Neutral Committee the matter may then be submitted either to a Conference between the Employers and the representatives of the Iron and Steel Section of the Union or to arbitration.

" Should questions or disputes arise which affect more than one Works, then a local or District Conference could be held representative of the Employers and of the members of the Union employed in Iron and Steel Works.

" National Conferences shall be convened when necessary. . .

" . . . At all Neutral Committee meetings, local, District, National or other Conferences, representatives of the Union or of the workmen must have power to negotiate a settlement. In the event of failing to agree on any question submitted, there shall be no cessation of work pending the settlement of the question. All such questions as a last resort shall be referred to Arbitration. Should any men strike work or in the event of a lockout by the employer, no Meeting or Conference between the Associations and representatives of the Union shall take place unless and until the men are at work under the conditions when they left off work."

174. The Iron and Steel Trades Employers' Association and the National Union of General and Municipal Workers in their Agreement of 1925 set out their procedure in writing with a preamble in these words:—

" the recognised machinery of negotiation in the trade shall be followed. It has been built up by custom and practice as the result of experience, and while the details thereof are as complete as possible, they are not to be regarded as exhaustive. They are set forth for the purpose of explanation and guidance, except as regards principles . . . which the Association and the Union shall regard as fundamental " (e.g. no stoppage of work during negotiations and no negotiations while men on strike).

The procedure follows that described above, but is on more detailed lines. It includes a clause that failing settlement at the Works a question is

" referred to the Employers' Association by the Firm concerned. At the same time, it is taken up on the Workmen's side by the permanent official of the Workmen's Union, who communicates direct with the Secretary of the Employers' Association, giving particulars of the difference, of any negotiations



that have taken place with the Firm, and asking that the matter be dealt with according to the usual machinery. The whole question is then brought before the Employers' Association, and if the difference is one not of general principle but affecting the Works concerned only, the Association generally refers the matter to a Neutral Committee. The Association, however, reserves the right, after consideration of the matter, to decide that the services of a Neutral Committee are unnecessary.

In describing the Neutral Committee machinery the Agreement says:—

. . . The official representative of the Employers' and of the Workmen's organisation respectively are present, along with the members of the Neutral Committee, at the hearing of the case, and also at the discretion of the Neutral Committee, in deciding the case, although only in an advisory capacity if called upon. . . .

"The procedure generally adopted when the Neutral Committee meet to go into the matter is, in the first place, to elect a Chairman. One of the Employers' representatives is chosen as Chairman. The Official of the Workmen's Trade Union then states the case on behalf of the Workmen and calls any evidence he may consider necessary. The case on behalf of the Employers is then stated, and likewise any evidence adduced, if necessary. Being satisfied that both sides of the case have been fully heard, the witnesses and others with the exception of the actual members of the Neutral Committee, withdraw. It is in the discretion of the Neutral Committee to ask the Permanent Official on the Employers' and on the Workmen's side to remain with them to assist, in an advisory capacity only, if so desired.

"Having given the whole case careful consideration, the decision of the Neutral Committee is then recorded in a short Memorandum; signed by each member of the Committee and by the Permanent Official of the Employers' and Workmen's Organisations. This Memorandum of Settlement becomes the Finding or Award of the Committee. It is subject to confirmation by the Employers' Association and by the Headquarters of the Workmen's Trade Union.

"Failing a settlement, the Neutral Committee either refer it back to the Employers' Association and the Workmen's Trade Union to be dealt with, or submit the matter to Arbitration.

"It is the general practice, although not obligatory, for the Neutral Committee to meet for the disposal of the cases at the Works at which the difference exists. The meeting place is, in all cases, however, a matter of convenience."

175. The Agreement also contains clauses in regard to general questions, as follows:—

"When questions of a general character arise, they may be dealt with by Conference between the Employers' and the Workmen's Organisations. In the event of such a question arising,



it is open to either side to request the calling of a Conference. The Constitution of the Conference . . . is left open . . . according to the question to come under discussion.

"Failing a settlement by the Conference of the matter raised, the Conference takes such steps as it may deem advisable for dealing therewith, but failing an Agreement, the difference is generally submitted to Arbitration."

#### **Maintenance men and Rollturners in the Heavy Steel Industry and at Blastfurnaces.**

176. There are agreements covering bricklayers and masons, bricklayers' labourers, engineers, electricians, patternmakers, smiths, etc. These agreements are in general based on the principle that the Iron and Steel Industry is a separate Industry for the purpose of all negotiations in connection with hours of work, wages, general working conditions and kindred matters.

177. There is a comprehensive Memorandum of Agreements dated May, 1938, between the Iron and Steel Trades Employers' Association, the West Coast Ironmasters' Association, the Lincolnshire Ironmasters' Association and the Amalgamated Union of Building Trade Workers. It applies to bricklayers and masons in the Heavy Steel Industry in England and the West of Scotland covered by the Iron and Steel Trades Employers' Association and at blastfurnaces in England covered by that Association and by the West Coast and Lincolnshire Ironmasters' Associations. The Agreement (as amended in 1943) embodies procedure on the lines of that which has grown up between the Iron and Steel Trades Employers' Association and the Iron and Steel Trades Confederation. This procedure has been described above.

178. Comprehensive agreements of various dates between the Iron and Steel Trades Employers' Association (or its predecessors) and the British Rollturners' Trade Society regulate wages and conditions of rollturners in rolling mills in Scotland, the North-East Coast, South Yorkshire and certain individual works.

179. There are a number of district agreements for maintenance men (fitters, turners, electricians, patternmakers, boilermakers, etc.). The method of negotiation varies but in the Heavy Steel trade it is usual for negotiations to take place between the employers' association in the district concerned and a district joint committee of the craft Unions. Thus, the Iron and Steel Trades Employers' Association made an Agreement in 1941 (which supercedes earlier agreements), on behalf of their North-East Coast members with the Amalgamated Engineering Union, the United Society of Boilermakers and Iron and Steel Shipbuilders, the Electrical Trades Union and the United Patternmakers' Association.

This provides for the appointment of workers' representatives known as shop delegates and for dealing with "questions arising" through the following stages of procedure; workman or workmen and shop delegate(s) discuss with foreman; shop delegate and one



of the workmen discuss with shop manager and/or head shop foreman; management and shop delegate(s) meet, with union and employers' association officials present if desired; case is referred, if mutually agreed, to a Joint Sub-Committee of employers' and workmen's representatives (not being appointed from the Works at which the difficulty exists or any other works of the same employer) at which the union and employers' association officials are present as members. If a question is not settled by the Joint Sub-Committee, or there is failure to agree to refer it to this Committee, it is referred to a standing Joint Committee, which in the event of continued failure to agree may seek the aid of a "Neutral Conciliator" without voting powers. In the last resource there is resort to arbitration, and for this purpose the Minister of Labour and National Service is asked to appoint a board of three arbitrators under the Industrial Courts Act, 1919.

180. The North-East Coast Agreement also provides for a consolidated rate per hour, to which is added cost-of-living payment. The provisions as to a consolidated net hourly rate and to cost-of-living arrangement, "made due to war circumstances," are without prejudice to future regulation of wages in accordance with "the melters sliding scale of 1905 as amended in July, 1936." There is also provision for a tonnage bonus scheme.

### **COKE OVENS AND BY-PRODUCT PLANTS ATTACHED TO COLLIERIES.**

181. This section relates to the manufacture of coke and the extraction of by-products from coal when carried on at collieries. Wages in coke and by-product plants run as an ancillary department to pig iron manufacture are regulated by collective agreements for the Pig Iron Industry (see under Iron and Steel Manufacture).

182. Negotiating machinery is in some areas on a district basis and in others on a local (or works) basis. There is no national machinery and there does not appear to be any constitutional relationship between the district and local (or works) agreements.

183. For the purpose of dealing with war-time problems in consultation with the Supply Departments, the employers have set up an "*ad hoc*" Committee representative of the organisations existing in the various districts, but this Committee has no negotiating capacity. Unions interested in the industry include:—

- the National Union of Cokemen and By-Product Workers;
- the Miners' Unions;
- the National Union of General and Municipal Workers;
- the Transport and General Workers' Union; and
- the National Union of Enginemen, Firemen, Mechanics, Motormen and Electrical Workers.

184. There are district agreements in operation in Durham, South Wales, Monmouthshire, Cumberland, West Yorkshire and



Scotland. In other districts including South Yorkshire and Nottinghamshire, and Derby, wage rates are the subject of settlement at individual works, sometimes by means of a formal collective agreement.

185. Wages are usually made up of basis shift rates, a percentage addition, and flat-rate addition. The amount of the basis shift rate is determined in some cases by district agreements. In other cases the rates vary at the different plants and are not subject to any uniform standard scale. The amount of the percentage addition in South Wales is determined by sliding scales based on the selling price of the product; in Durham it is determined either by a cost-of-living sliding scale or a selling price sliding scale, whichever yields the higher figure; in other districts it is usually identical with the percentage addition ruling from time to time for coal miners. The flat-rate additions are the same as those agreed upon in the Coal Mining Industry, except in South Wales and Monmouthshire where a special war allowance (per shift) is payable under the district agreement.

186. The principal questions apart from wages dealt with in the agreements are hours of labour, overtime rates, rates for weekend work, payment for work on holidays, annual holidays with pay, and (occasionally) coal allowances. Generally a 48-hour week is observed in all districts with the exception of South Wales, where the recognised hours of work are 56 per week, this being made up of seven shifts of 8 hours per shift.

187. The Agreement for South Wales and Monmouthshire provides for the reference of matters in dispute to a Joint Committee, which is empowered to refer the matter to a sub-committee. In the event of failure to agree the Joint Committee has power to take any steps necessary to effect a settlement. Certain questions, *viz.* those relating to the minimum percentage addition to wage rates and the selling price of coke which is to correspond to such minimum, may be eventually referred to an independent Chairman to be appointed by the Joint Committee or failing agreement by the Minister of Labour and National Service.

### QUARRYING.

188. The National Joint Industrial Council for the Quarrying Industry was formed in 1919. Provision was made in its constitution for the setting up of six National Sectional Councils each dealing with wages and other matters relating to its particular type of quarried material and each having Area Councils of its own. These sections were lime and limestone, granite and whinstone, roadstone, freestone, slate, and chalk. The degree of organisation originally contemplated has not been fully realised, but Sectional Councils have been set up as described below. The associations of employers and Trade Unions in the Sectional Councils are represented on the main Quarrying Council.



The Quarrying Council does not deal with wages and conditions of employment. Its constitution provides, however, for the reference to the National Council of disputes which are not settled by Area or Sectional Councils and, where necessary, for the voluntary reference of such disputes to a Court of Arbitration comprising an independent Chairman and two members from each side of the Council. Failing agreement by the Court, the Chairman is required to give a ruling decision. The Constitution requires the parties to a dispute which is referred to arbitration to sign an agreement before the hearing that they will abide by the decision of the Court.

### **Slate.**

189. The Slate Section has never covered more than the slate producing districts of North Wales. For many years no Sectional Council was in existence. Wages and conditions were for some time negotiated between the North Wales Slate Quarry Proprietors' Association and the North Wales Quarrymen's Union each of which was represented on the National Joint Industrial Council for the Quarrying Industry. Owing to a breakdown in selling price arrangements through varying costs of production between slate quarries and slate mines the Employers' Association broke up, and in 1934 the National Joint Industrial Council agreed that the slate interests should be covered as regards employers by direct representation of the quarries and mines respectively. The break-up of the Association also affected the wages position and agreements were negotiated by the Union with individual employers or groups of employers. A subsequent dispute was settled under the arbitration machinery of the National Joint Industrial Council for the Quarrying Industry. The North Wales Quarrymen's Union has become merged in the Transport and General Workers' Union although retaining its own title.

190. In 1943 the Welsh Reconstruction Advisory Committee, when considering questions which might arise after the war in the Welsh Slate Quarrying Industry, suggested that there should be available for consultation a body representative of employers and workpeople in the Industry. As a result of action taken by the Ministry of Labour and National Service arrangements were made to revive the Welsh Sectional Industrial Council for the Slate Quarries Industry and this Council held its inaugural meeting in November, 1943. The employers' side consists of representatives of the North Wales Slate Quarries' Association—a new Employers' Association formed in 1943—and the workers' side of representatives of the North Wales Quarrymen's Union.

### **Chalk.**

191. The employers' side of the Chalk Sectional Council is composed of representatives of the Chalk Quarrying Association and the workers' side of representatives of the National Union of General and Municipal Workers and the Transport and General Workers' Union. Until 1942 the Council covered only the Thames



and Medway area which is a large producing area for chalk for export and for use in connection with the production of cement. Mainly as a result of the application of the Essential Work Orders to the industry the membership of the Chalk Quarrying Association increased materially during the latter part of 1941 and the early part of 1942, and the scope of the Council was by agreement extended to cover all the main chalk quarrying areas in the country. No provision is made for the establishment of Area Councils.

192. A National Agreement on Wages and Conditions of Employment was reached in July, 1942. The Agreement lays down that before any stoppage of work takes place either by way of strike or lock-out the dispute shall be considered in accordance with the rules of the National Joint Industrial Council for the Quarrying Industry and that where no settlement is reached after all conciliation machinery has been exhausted at least twenty-one days' notice of the intention to bring about a stoppage shall be given in writing to the Secretary of the Council.

#### **Freestone.**

193. The Freestone Sectional Council has had an active existence. It comprises representatives of the National Federation of Freestone Quarry Owners on the employers' side and the Unions on the workpeople's side are the Amalgamated Union of Building Trade Workers, the National Union of General and Municipal Workers, the Transport and General Workers' Union and the National Winding and General Engineers' Society. The Council is empowered to set up Area Councils and eight such Councils are in existence covering most of the areas in which freestone is produced. Agreements have been reached in these areas in regard to rates of wages and working conditions. This Sectional Council has been interested in the question of silicosis which is prevalent amongst the workers in that class of stone, and for which a special scheme operates under the Workmen's Compensation Acts.

194. The Council has also reached agreement in regard to a scheme for holidays with pay modelled on the lines of that adopted in 1942 by the Building and Civil Engineering Industries. The scheme has been so drafted as to permit of the inclusion of other sections of the Quarrying Industry within its ambit.

#### **Lime and Limestone.**

195. The Lime and Limestone Sectional and Area Councils were never representative and have been inactive for many years. Such agreements as exist relate to individual districts or firms.

#### **Granite and Roadstone.**

196. The Sectional Council for Granite and Roadstone operated until 1937 and had set up Area Councils. In 1937 after objections had been raised by the Trade Union side to the non-representative



nature of the employers' side the Council was dissolved. By 1940 however the employers' associations dealing with these two types of quarried material and the Unions arranged to revive the Sectional Council which is now entitled The National Joint Council for the Roadstone Quarrying Industry.

The Council consists of representation (one from each side) from the seventeen areas into which the country is divided, in each of which Area Councils have been set up. The employers' national organisations are:—

The Central Association of the Lime and Limestone Industry of Great Britain;

The British Granite and Whinstone Federation; and

The National Federation of Roadstone and Quarry Owners;

but these bodies do not provide the delegates on the employers' sides in the areas. The Area Councils are constituted largely from loosely knit groups of employers in the district, some of whom, but by no means all, are attached to one or other of the above organisations.

The Trade Union side is composed of the Transport and General Workers' Union and the National Union of General and Municipal Workers. The Area Councils cover practically the whole of the producing areas in England and Wales and Scotland, and agreements on wages and conditions of employment have been reached.

### PRINTING.

197. The Printing Industry is organised on the employers' side by (1) the British Federation of Master Printers, which consists of a number of district associations, known as Alliances, and a few other organisations; (2) the Newspaper Society which covers the provincial newspapers in England and Wales; and (3) the Newspaper Proprietors' Association, which covers the London newspapers. On the employees' side there are a large number of craft Unions and Unions comprising the semi-skilled and general workers. These are affiliated to the Printing and Kindred Trades Federation, but still retain their individual traditions and, to some extent, their autonomy. There is a high degree of organisation on both sides and many establishments are "closed shops."

198. Wages and conditions of employment are partly governed by agreements entered into by the Printing and Kindred Trades Federation on behalf of all the Unions, and partly by direct agreements between the employers' associations and the individual Unions. Federation agreements provide for the classification of towns, other than London, into four grades for wages purposes and for standard wages for apprentices increasing progressively from 20 per cent. of the journeyman's rate in the first year to 60 per cent. in the seventh or final year. Agreements have also been concluded by the Federation in the matter of general conditions of employment such as normal working hours, holidays and provisions to meet war-time emergencies such as air raids.



War-time agreements have also been made on the subject of war bonus, variations of agreements, substitution of women for men, transfer of labour, etc.

Subject to these general agreements, individual Unions have negotiated minimum scales of wages for the various classes and grades of workers in the different sections of the Industry. In addition to the minimum rates, there is provision for a large number of extra payments for various machine operations. In the case of several agreements the British Federation of Master Printers has acted in conjunction with the Newspaper Society; the Newspaper Proprietors' Association has acted separately. The agreements with the Unions comprising general workers cover such classes as packers and warehousemen, women workers, and, in the case of one London agreement, transport workers. In some cases the agreements with individual Unions prescribe procedure for avoiding and settling disputes and differences and provide that pending the operation of this procedure no strike or lock-out is to take place.

199. In 1919 a Joint Industrial Council was set up, the parties being the British Federation of Master Printers, the Newspaper Society and the Unions affiliated to the Printing and Kindred Trades Federation. The Council has not disturbed the practice of negotiation of wages and conditions of employment between the employers' organisations and the Unions or the Printing and Kindred Trades Federation. Its constitution provides machinery for dealing with disputes, and conciliation committees appointed by the Council have dealt with a large number of disputes, mainly affecting individual firms. On occasions the Council has been called upon to consider major differences and has prepared the way for a renewal of negotiations rather than becoming itself a negotiating body. The Council, through its committees, has collaborated with the Government Departments concerned in connection with the health and safety of the workpeople and with apprenticeship.

## COTTON AND RAYON.

### I. Cotton.

200. Two sections of the Industry, *viz.*, the spinning section, and the weaving or manufacturing section, have tended to segregate themselves according to districts. Spinning is mainly carried on in South Lancashire and the adjoining districts of Cheshire, the spinning of fine or coarse yarns respectively being peculiar to certain parts of this area. Weaving is mainly centred in North and East Lancashire and various towns tend to specialise in the production of particular classes of goods.

201. Both employers and operatives are organised for purposes of collective bargaining mainly on a local or district basis. These local associations and Trade Unions maintain a large degree of local autonomy, but are affiliated to federations or amalgamations



corresponding with processes associated with spinning or weaving. In the spinning section, the local master spinners' associations are affiliated to the Federation of Master Cotton Spinners' Associations and the operatives' local Unions are combined in the Amalgamated Association of Operative Cotton Spinners and Twiners and the Amalgamated Association of Card, Blowing and Ring Room Operatives. In addition, the National Union of General and Municipal Workers represents operatives in the "doubling" section.

202. In the weaving or manufacturing section the employers' local associations are federated to the Cotton Spinners' and Manufacturers' Association. The title of this Association is based on the fact that while its members are mainly engaged in weaving, a proportion are both spinners and weavers. The local Unions of weaving operatives combine to form the Amalgamated Weavers' Association, the General Union of Associations of Loom Overlookers, the Amalgamated Association of Beamers, Twisters and Drawers (Hand and Machine), the General Union of Lancashire and Yorkshire Warp Dressers' Associations, the Lancashire Amalgamated Tape Sizers' Association, the Amalgamated Textile Warehousemen, the Ball Warpers' Association and the Amalgamated Tape Sizers' Friendly Protection Society. These amalgamations in the weaving section are consolidated in the Northern Counties Textile Trades Federation. For the purpose of dealing with matters of general interest to the cotton trade as a whole, such as legislation, hours of work and holidays with pay, the Unions in both sections of the trade are represented by the United Textile Factory Workers' Association.

203. Collective bargaining has been in operation in the Industry for very many years. The industrial agreements are numerous and reflect the division and sub-division of the Industry both geographically and according to the classes of goods produced. More than half of the operatives in both sections of the Industry are employed on piecework and are paid in accordance with very complicated and technical piece-price lists. Changes in rates of wages are usually effected in normal times by means of increases and decreases in the percentage additions to base rates fixed in the piece-price lists, equivalent changes being made in the wages of operatives who are not paid in accordance with such lists. The rates laid down in the various agreements are generally subject to additions based on the cost of living.

204. Following an Agreement in 1935, a revised Agreement containing a uniform list of piece-prices for weavers in the Cotton Manufacturing Industry was concluded between the Cotton Spinners' and Manufacturers' Association and the Amalgamated Weavers' Association on 5th January, 1937. These Agreements were the subject of Orders made under the provisions of the Cotton Manufacturing Industry (Temporary Provisions) Act, 1934. Information concerning these Orders, the effect of which is to make the agreed rates enforceable at law, is given in



Section VIII (4) of this Handbook. All other agreements in the Cotton Industry are of a voluntary character.

### **Machinery for dealing with disputes.**

#### *Spinning Section.*

205. An Agreement (known as the Brooklands Agreement) made in 1893 and amended in 1897 established machinery for the settlement of differences and disputes in the spinning section of the Industry.

Subsequently, in 1913, a temporary Agreement between the Employers' Federation and the Operative Spinners was made as follows:—"That notices shall not be tendered at any Mill in connection with a bad spinning complaint until the representatives of the two organisations, local and central, have jointly enquired into the dispute." This Agreement was extended until July, 1914, when it was continued "until further notice." An extension to cover the reference of disputes other than "bad spinning" disputes to local and central Joint Committees was made in January, 1915. The Employers' Federation and the Amalgamated Association of Card, Blowing and Ring Room Operatives signed a similar Agreement in December, 1914.

206. In addition to the Agreements referred to above there is an Agreement containing conciliation procedure for the "doubling" section of the Industry between the Federation of Master Cotton Spinners' Associations and the National Union of General and Municipal Workers. The conciliation procedure is similar to that operating in the weaving section. This is described below.

#### *Weaving Section.*

207. Joint rules were made in 1913 between the organisations of employers and the workers' organisations in the weaving section of the Industry "to secure the consideration and settlement of trade disputes in their early stages and thereby preserve good feeling between employers and operatives." These rules provide that before employers or workers can have freedom of action, a matter in dispute which has not been settled between the employer and the employee must be brought forthwith before a local joint meeting of representatives of employers appointed by the local employers' association and of operatives appointed by the local operatives' Union. Failing settlement at this meeting it must be brought before a further joint meeting consisting of representatives of the Cotton Spinners' and Manufacturers' Association and of the particular Amalgamated Association of Trade Unions formed in that section of the trade to which the dispute relates. If this meeting does not serve to settle the dispute it must be considered at a joint meeting between representatives of the Cotton Spinners' and Manufacturers' Association and the Federation embracing all the Amalgamations of Unions, *viz.*, the Northern Counties Textile Trades Federation. The rules state that if at this third stage in the procedure a settlement is not effected, either



party is at liberty to take whatever course it thinks fit. An Agreement drawn up in 1932, however, extended the joint rules by making provision for dealing with disputes which remain unsettled after action has been taken under the rules. Under this Agreement disputes not settled by negotiation must be referred to a Conciliation Committee consisting of representatives of the organisations of employers and workers to which two independent members, one nominated by each side, are to be appointed. The Chairman of this Committee must be an independent person nominated by the two sides or by the Minister of Labour and National Service, and he is chosen for a definite period as Standing Chairman. Failing settlement by the Conciliation Committee, the independent Chairman must, after consultation with the independent members, make a recommendation. If invited to do so by both sides he has authority to make an award.

208. Mills which combine spinning and weaving processes are covered by a further conciliation Agreement containing procedure similar to that described above. Apart from its application to these mills and to the "doubling" section referred to above, the conciliation procedure is confined to the weaving section.

## II. Rayon.

209. The production of rayon yarn involves processes quite distinct from those connected with the spinning of cotton or other yarns and is carried on by a small number of firms, only two of which also have weaving plants. There is a Joint Labour Committee, consisting on the employers' side of representatives of the producer firms, and on the workers' side of the following Trade Unions:—Transport and General Workers' Union, National Union of General and Municipal Workers, National Union of Dyers, Bleachers and Textile Workers; this Committee has recently concluded a National Wages and Conditions of Employment Agreement, but up to the present time has not established machinery for the settlement of differences arising between employers and workers in this section of the Industry.

210. The manufacture of goods from rayon yarn is largely linked with the manufacture of cotton, woollen and natural silk fabrics and knitted goods and no general trade agreements covering the weaving or knitting of rayon, therefore, exist. Agreements covering these allied industries are in many cases applied or form the basis for the wages and conditions of employment which are observed. This is explained in greater detail below.

211. Rayon weaving is mainly carried on within the "geographical area" specified in the Cotton Manufacturing Industry (Temporary Provisions) Act, 1934. In this area there is a large number of looms engaged in continuous filament yarn weaving. In some of the mills staple fibre yarns are woven. Staple fibre spinning and weaving is a fast growing industry. The rayon staple fibres are discontinuous staple lengths spun in the same fashion and on



the same machinery as cotton, worsted, linen or spun silk yarns. The resulting staple fibre yarns are mainly used on Lancashire looms. The looms in the West Riding of Yorkshire and in Skipton are almost entirely engaged in rayon cloth production. In Colne, Nelson, Preston, Bolton and South West Lancashire, including Hyde and Ashton-under-Lyne, large numbers of looms are also producing all kinds of goods made from rayon alone. In addition to the looms that are using rayon only, there is a very substantial number of looms for cloths made from mixtures of either cotton and rayon or rayon and wool or cotton and staple fibre and they are interchangeable with cotton. In the areas mentioned above, the organisation of employers and workpeople and the agreements followed are, with certain exceptions, the same as those covering the weaving of cotton.

212. Outside the above "geographical area" there is a group of weaving firms in Yorkshire and most of these combine the work with the weaving of wool and/or cotton. In the main they follow the terms of the agreements concluded by the Wool and (Allied) Textile Employers' Council and the Trade Unions which are members of the National Association of Unions in the Textile Trade, those chiefly concerned being the National Union of Dyers, Bleachers and Textile Workers, the Yorkshire Warp Twisters' Society and the Yorkshire Association of Power Loom Overlookers. To a lesser extent there are weaving firms in the Macclesfield area where the work is also combined with the weaving of natural silk, which is covered by agreements concluded between the Macclesfield Silk Trades Employers' Association and the National Silk Workers' Association.

213. In areas other than those referred to above, particularly in Scotland and in the Southern part of England, employers in individual firms make their own agreements with the Trade Unions or directly with their operatives. The Transport and General Workers' Union and the National Union of General and Municipal Workers are the organisations mainly concerned.

214. The knitting of rayon may be broadly divided into circular knitting (which operates in conjunction with hosiery) and warp-knitting (which operates in conjunction with milanese knitting). Circular knitting is mainly situated in Manchester, Nottingham and Leicester and their districts; there is also some production in London and Scotland. Warp-knitting is mainly situated in the Nottingham and Derby districts and in South Wales, with some production in Lancashire. Wages and conditions of employment are negotiated with the local Unions or individually and follow the trend in the various areas in which the firms are situated.

### FLOUR MILLING.

215. A National Joint Industrial Council for the Flour Milling Industry was set up in 1919, the parties being, on the employers' side, the Flour Milling Employers' Federation, the Co-operative Wholesale Society Limited and the Scottish Co-operative Wholesale



Society Limited, and, on the workers' side, the Transport and General Workers' Union, the National Union of General and Municipal Workers and the National Union of Distributive and Allied Workers. In East Anglia there is an Employers' Association which is not connected with the Federation and not a party to the agreements of the Joint Industrial Council.

The functions of the Council are to secure joint action between employers and workers with a view to the general improvement of conditions in the industry, including the regular consideration of wages, hours and working conditions. Among its more specific objects is the consideration of methods of training for young people entering the industry and the provision of educational facilities for them and co-operation with the Education Authorities. A Technical Education Committee functions for this purpose and other Committees set up by the Council have also done valuable work in collaboration with the Government Departments concerned in connection with the health and safety of the workpeople. A Pensions Scheme has been established with joint contributions and with safeguard of pension right should an operative move from one mill to another. In March, 1937, a Security Agreement was concluded which ensured to a worker his full weekly income during stoppages due to slackness of trade or the operation of short time. The constitution of the Council provides machinery for the settlement of disputes.

216. Provision is also made in the constitution for the establishment of Joint District Councils the main functions of which are:— to consider matters referred to them by the National Council; to take executive action in connection with decisions arrived at by the National Council; to consider any differences which cannot be settled at the Mills, and, to refer to the National Council any such matters upon which the District Council fails to come to a decision, and to promote the establishment of Works Committees. The Joint District Councils now operating are as follows:—

Birmingham, Devon and Cornwall, East Herts, East Midlands, Kent, Surrey and Sussex, Lincolnshire, London, North East, North West, Reading, Sheffield, South Wales, West of England, Scotland.

217. The wages and conditions agreements negotiated by the Council covering (1) mill operatives and (2) transport workers are on a national basis.

The Flour Milling Employers' Federation has also entered into separate agreements with the Electrical Trades Union and the Amalgamated Engineering Union relating, respectively, to electricians and mechanics employed in the Industry.

218. During the twenty-five years of the Council's existence there has only been one occasion, which arose during the present war, on which the two sides have failed to reach agreement through their own machinery. This gave rise to a dispute which was reported by the workers' side to the Ministry of Labour and National



Service for reference to arbitration. Agreement was later reached, however, that an independent Chairman should be appointed to preside over a meeting of the Joint Executive Committee of the Council with a view to settlement of the claim within the ambit of the Council's own negotiating machinery or, failing this, to act as an arbitrator.

### **POTTERY.**

219. The Pottery Industry is concentrated mainly in North Staffordshire and includes the manufacture of general earthenware, china, tiles, sanitary earthenware, jet and rockingham and electrical porcelain.

220. The employers are organised within:—

- The Earthenware Association;
- The English China Manufacturers' Association;
- The Glazed and Floor Tile Manufacturers' Association;
- The General Earthenware (Home and Export) Manufacturers' Association;
- The Staffordshire Potteries Hotel Ware Manufacturers' Association;
- The Porcelain Electrical Fittings Association;
- The Sanitary Earthenware Manufacturers' Association;
- The British Teapot Manufacturers' Association;
- The Staffordshire Potteries Manufacturers' Association (Export Trade);
- The Chemists Sundries Association;
- The Fine China and Earthenware Manufacturers' Association.

These Associations are affiliated to the British Pottery Manufacturers' Federation, which represents the employers' side of the industry as a whole.

221. The workpeople are organised within the National Society of Pottery Workers and the National Union of Enginemen, Firemen, Mechanics, Motormen and Electrical Workers.

### **National Council.**

222. Representatives of the Employers' Federation, the British Sanitary Fireclay Association, the Managers' and Officials' Association and the National Society of Pottery Workers, together with certain co-opted members, form the National Council of the Pottery Industry, which was established in 1918—the first Joint Industrial Council to be formed following the publication of the Report of the Whitley Committee. The constitution of the Council provides that the number of representatives on each side shall not exceed 30. The objects of the Council are listed as being:—

- (1) The consideration of means whereby all manufacturers and operatives shall be brought within their respective Associations.



(2) Regular consideration of wages, piecework prices and conditions, with a view to establishing and maintaining equitable conditions throughout the industry.

(3) To assist the respective Associations in the maintenance of such selling prices as will form a reasonable remuneration to both employer and employed.

(4) The consideration and settlement of all disputes between different parties in the industry which it may not have been possible to settle by existing machinery, and the establishment of machinery for dealing with disputes where adequate machinery does not exist.

(5) The regularisation of production and employment as a means of ensuring to the workpeople the greatest possible security of earnings.

(6) Improvement in conditions with a view to removing all danger to health in the industry.

(7) The study of processes, the encouragement of research and the full utilisation of their results.

(8) The provision of facilities for the full consideration and utilisation of inventions and improvements designed by workpeople and for the adequate safeguarding of the rights of the designers of such improvements.

(9) Education in all its branches for the industry.

(10) The collection of full statistics on wages making and selling prices and average percentages of profits on turnover and costs, etc., the study and promotion of scientific and practical systems of costing to this end. All statistics shall where necessary be verified by chartered accountants who shall make a statutory declaration as to secrecy prior to any investigation, and no particulars of individual firms or operatives shall be disclosed to anyone.

(11) Enquiries into problems of industry and where desirable the publication of reports.

(12) Representation of the needs and opinions of the industry to Government authorities centrally and locally and to the community generally.

223. Clause (2) above relating to the consideration of wages and conditions has never been operative because it was considered at the outset desirable to continue the methods existing up to that time—that is, direct negotiations between the employers' and workers' organisations. The Council reserves to itself the right to intervene through a Wages and Conditions Sub-Committee if any deadlock ensues and there is serious danger of a stoppage of work, but in practice this has rarely been necessary. The Council has therefore devoted itself very successfully to the other objects enumerated in paragraph 222 above.



224. These objects are partly covered by a series of active Sub-Committees:—

- (1) Executive, General Purposes and Finance.
- (2) Research, Inventions and Designs.
- (3) Statistical and Enquiries.
- (4) Apprenticeship.
- (5) Reconstruction.

225. In regard to health, agreement has been reached by which, after the war, lead will be virtually eliminated from Pottery manufacturing processes and the risk of lead poisoning in the Industry will be largely removed.

Another important item to which much attention has been given is the recruitment and training of juveniles and the building up of a comprehensive Apprenticeship Scheme. Attention has also been given to part-time Training schemes. Discussion and the distribution of advice on questions of Welfare Supervision and Labour Management have also contributed to the well-being of the workers.

226. The Reconstruction Committee of the Council, through its constituent organisations, has made a study of post-war reconstruction problems.

### **Wages Agreements.**

227. Wage rates, including cost-of-living bonus, are negotiated between the Pottery Manufacturers' Federation and the Trade Unions. The wage structure is in the main based on piecework agreements, with time rates for juveniles. For many years it has been the custom for wage demands to be exchanged six weeks prior to 25th March of each year and in order to arrange for the prevention and settlement of differences the two sides have met in conference within fourteen days of the exchange of wage notices. This has ensured a period of at least one month during which demands could be considered, and as a rule settlement has been effected without difficulty.

228. In 1939 it was agreed between the employers' and workers' organisations that the regulation of wages during the period of the war should be solely on a cost-of-living basis with adjustment, as necessary, every three months, and that no general, departmental or individual notices should be exchanged until the Declaration of Peace and then only at the customary time, i.e., six weeks prior to 25th March in any year.

229. In December, 1941, consequent upon the urgent need to reduce the labour force of the Industry, an Agreement to increase hours of work from 47 to 53 was reached and overtime rates fixed for hours worked in excess of 47, it being provided that the Agreement should be subject to revision in the customary way—i.e.,



six weeks prior to 25th March, but not earlier than twelve months after the Declaration of Peace.

230. In order that the Essential Work (General Provisions) (No. 2) Order, 1942, might be applied to the Industry, the two sides negotiated an Agreement which sets out fall-back rates to be observed for each occupation in the Industry. The Agreement, which is still in operation, also covers waiting time, overtime, recognised holidays, and notice of termination of engagement.

### **BOOT AND SHOE MANUFACTURE.**

231. As long ago as 1895 the employers, represented by the Federated Associations of Boot and Shoe Manufacturers and the workpeople, represented by the National Union of Boot and Shoe Operatives, reached an Agreement known as the Terms of Settlement, 1895, which largely forms the foundation for the working conditions and provides procedure for the settlement of disputes within the Industry. Amendments or amplifications to this Agreement have been made from time to time by the National Conference of Representatives of the Federation and the National Union, which is the central authority for the Industry, and the National Conference Agreements have become supplemental to the Terms of Settlement. To secure the more effective enforcement of agreements, awards and decisions, as well as for the general advantage of the Industry, the Federation and the National Union equally recognise the importance of their respective organisations being as numerically strong and as fully representative as possible in all centres of the trade.

232. A National Joint Industrial Council was formed in 1919 with the general object of securing the largest possible measure of joint action between employers and workpeople for the development of the Industry as a part of national life and for the improvement of the conditions of all engaged in the Industry. The Council may take any action falling within this scope, except on questions of wages, hours and conditions of employment, the machinery for dealing with this being already provided by the National Conference.

233. Under the Terms of Settlement provision was made for the reconstitution of Local Boards of Conciliation and Arbitration consisting of equal numbers of representatives of employers and workers. These Boards have power to settle all questions submitted to them concerning wages, hours of labour and the conditions of employment of all classes of workpeople represented thereon within their districts which it is found impossible to settle in the first place between the employers and employed, and secondly between their representatives. They are not permitted to make any agreement or award as to wages, hours of labour or conditions of employment, less favourable generally to the operatives (having regard to the local circumstances of the district) than the wages, hours and conditions contained within the National



Conference Agreements or any agreement extending beyond the period of those Agreements, and they are required to bear in mind the importance of maintaining national uniformity in regard to all matters covered by National Conference Agreements. Each Board is required to set up a Central Joint Committee known as a Committee of Inquiry, or sectional or subsidiary boards to take the initial action on cases referred for settlement. Questions which the Boards of Conciliation and Arbitration are unable to settle are referred to two independent arbitrators. Should they not agree, the question is referred to an Umpire, appointed by themselves or, failing such an appointment, to an Umpire usually appointed by the Minister of Labour and National Service, the decision of the Umpire in each case to be final and binding on all parties.

234. The National Conference Agreements provide that "no strike or lock-out shall be entered into on the part of any body of workmen, members of the National Union, or any manufacturers represented on any Local Board of Arbitration." Further, under the terms of an Agreement dated 31st March, 1910, and the provisions of a Trust Deed entered into between the Federation and the National Union, a procedure may be brought into operation whereby a monetary penalty may be imposed in the event of a strike or lock-out taking place and lasting beyond three days.

235. Minimum time rates have been fixed for all operatives and are related to the cost-of-living index figure. There are six different scales related to 10-point intervals in the cost-of-living index between 50 and 110. Graduated age scale rates have also been fixed for operatives of ages ranging from 15 years to 21 years (males) and 15 years to 20 years (females).

The Conciliation and Arbitration Boards fix piecework prices for the districts which they cover and consider all complaints. To a large extent this has become their main responsibility. These piecework prices also change at 10-point intervals in the cost-of-living index figure.

236. Like the main section of the Industry the following sections also have national agreements regarding wages and conditions and have adopted parallel procedure for the settlement of disputes—Stiffener, Wood Heel, Toe Puff, Last and Upper Pattern, Cut Sole, and Built Heel manufacturing.

#### *Slipper Manufacture.*

237. That section of the whole-leather or partly-leather footwear industry which is engaged in the manufacture of slippers is mainly carried on in the Rossendale Valley, Lancashire, area, and is organised on the employers' side in the Rossendale Valley Boot, Shoe and Slipper Manufacturers' Association and on the operatives' side in the Rossendale Union of Boot, Shoe and Slipper Operatives. Agreement was reached in 1927 to set up a Conciliation Board for dealing with disputes. The Board also fixes piecework prices.



## RETAIL DISTRIBUTIVE TRADES.

### I. England and Wales.

238. In 1936 discussions took place between the Minister of Labour and representatives of certain organisations in the retail trades regarding employment, wages and conditions in the trades. A Joint Conference of the employers' organisations and Trade Unions held in April 1937 appointed a joint committee to formulate proposals for the establishment of suitable machinery for regulating wages, hours and other conditions of employment. This committee drew up proposals which the Joint Conference adopted with certain reservations and submitted to the Minister of Labour for consideration. As a result of the Minister's observations on these proposals they were subjected to further examination by the Joint Conference and after further discussions the revised report was approved in principle and submitted to the Minister in 1939. This report was published in June 1939 as a White Paper ("Wages, Hours and Conditions in the Retail Distributive Trades; Report of the Retail Distributive Trades Conference (England and Wales)").

The report proposed a scheme, subject to statutory enforcement covering all persons employed in any capacity in connection with the retail sale and distribution of goods. The scheme was dependent upon special legislation and at the outbreak of war further progress on these lines was not practicable.

During 1940 the Minister of Labour and National Service met representatives of certain employers' organisations and Trade Unions to discuss the establishment of voluntary machinery having regard to the provisions of the Conditions of Employment and National Arbitration Order. In the result the organisations established a number of Joint Industrial Councils for certain groups of Retail Distributive Trades.

239. The following Joint Industrial Councils have been established:—

(1) *The Retail Food Trades Joint Industrial Council* covering workpeople engaged in the Retail Grocery and Provisions; Cooked Meats and other Cooked Foods (including Fried Fish and Chips); Fresh, Cured, Dried and Smoked Fish; Game; Poultry and Rabbits; Fruit, Vegetables and Flowers; Excisable Liquor (Off-Licence) Trades; and including shop workers in Dairy Shops not covered by the Milk Distributive Trade Board.

(2) *The National Joint Industrial Council for the Retail Drapery, Outfitting and Footwear Trades.*

(3) *The National Joint Industrial Council for the Retail Furnishing and Allied Trades*, comprising Furniture and Furnishing; Ironmongery and Turnery; China and Glass; Hardware, Electrical Goods, Cycles and Accessories; Sports Goods; Radio; Oils, Paints and Wallpaper.



(4) *The National Joint Industrial Council for the Retail Book-selling, Newsagency, Stationery, Tobacco and Confectionery Trades.*

(5) *The Joint Industrial Council for the Retail Meat Trade.*

The Councils cover England and Wales only.

The following paragraphs apply to all the Councils except that for the Retail Meat Trade which is described in paragraph 247 below.

### **Constitution, Objects and Functions.**

240. Although each Joint Industrial Council is a separate body, the objects and functions and the procedure for the settlement of differences are identical. The constitutions provide for the consideration of measures for securing the loyal adoption of the decisions of the Council by all employers and employees in the group, and for the regular consideration of the remuneration and working conditions in the group with a view to establishing and maintaining equitable terms and conditions of service. There are provisos that the various sections and classes of workers in the group shall, if necessary, be considered separately by the Council, and that joint machinery on an area or trade basis may be established as necessary to secure that the decisions of the Council are made in the light of the diverse circumstances of the various areas and trades.

The Councils are empowered to co-operate with Joint Industrial Councils or other joint bodies for other retail distributive trades or groups of trades or for other branches of trade or industry in dealing with matters of common interest, and may be represented upon a Consultative Committee representing other group Councils.

241. Each Council consists of representative members and an independent member who, whenever present, acts as Chairman. The representative members are appointed by the organisations of employers and the Trade Unions parties to the constitution, these being organisations and Trade Unions which have membership in the trades.

242. The independent member is appointed by mutual agreement by the organisations of employers and Trade Unions. Failing such agreement, the organisations and Unions have agreed to accept an independent member nominated by the Minister of Labour and National Service after consultation with them.

243. The constitutions also provide for the appointment of a Vice-Chairman and a Deputy Vice-Chairman from among the Council's members; one from the employers' side and the other from the trade union side, alternately.

### **Settlement of Differences and Prevention of Disputes.**

244. The Clauses relating to the above are as follows:—

“(1) Any question within the objects of this constitution arising between an employer, or employers' association and a



trade union, or trade unions, shall be dealt with, in the first place, between the said employer or employers' association and trade union, or trade unions, concerned; and failing a settlement, any difference shall be reported forthwith to the Secretary or Joint Secretaries of the Council.

(2) Upon a difference being reported, the Secretary or Joint Secretaries, in consultation with the Chairman and Vice-Chairman of the Council, shall arrange for the difference to be referred to the Council or to such Committee thereof as may have power to deal with the difference.

(3) The Council and both sides thereof shall use their best endeavours to secure that no strike, lock-out, or unauthorised action shall take place until such time as the foregoing procedure for settling differences shall have been exhausted; and, in the event of any such strike, lock-out, or unauthorised action so taking place, shall use their best endeavours to terminate the same.

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### **Wages Agreements.**

245. Each of the Joint Industrial Councils has negotiated minimum weekly rates of remuneration covering branch shop managers and manageresses, shop assistants, van salesmen, cashiers, clerks, central warehouse staff and other employees employed in or about the business of a shop (excluding craftsmen, productive staff and transport workers).

### **Conditions of Employment.**

246. Normal hours of work, payments for overtime, payment for holidays and for work done on holidays, and sickness pay are provided.

Each of the Agreements also has a special Relief Clause under which an employer covered by the Agreement who considers that owing to special war-time difficulties, it is impracticable to operate the Agreement in whole or in part, may apply to the Joint Industrial Council for special relief. Such applications are considered by an Appeals Committee of the Council whose decision is final and binding on both parties. Failing a decision by the Appeals Committee the matter is referred to arbitration by the independent Chairman whose decision is final and binding.

### **Retail Meat Trade.**

247. The objects and functions of this Council are the same as for the other Retail Distributive Joint Industrial Councils. There is no independent Chairman in this case, however, the constitution providing for a Chairman and a Vice-Chairman to be appointed by the Council from among its members. The procedure for settling differences is the same except that a further clause provides that in the event of the Council being unable to effect a settlement the difference shall be referred to the Ministry of Labour and National Service for arbitration.



The Retail Meat Trade Agreement covers shop managers, shop assistants and cashiers, and includes special rates for workpeople engaged in the Retail Pork Trade.

### **Constituent Organisations.**

248. A list of the organisations represented on the various Councils is set out in Section XIII of this Handbook.

### **Co-operative Societies.**

249. In the Co-operative Movement, retail distribution is covered by a number of sectional, district and individual society agreements controlled by Wages Boards. There is an understanding that the decisions of the Joint Industrial Councils on which the Co-operative Union Ltd. is represented shall not affect these agreements. A war-time measure is in operation whereby the normal negotiating machinery has been suspended, and with certain exceptions negotiations are restricted to general applications for variations in rates of wages and conditions. These are considered and negotiated with the Unions concerned by a National Council of Hours and Wages Boards. Similarly, procedure for the settlement of disputes which has been in operation for many years in the Co-operative Service, continues to be used and has not been affected by the separate procedure established by the Joint Industrial Councils. Further reference to the procedure in the Co-operative Service is made in Section II of this Handbook.

## **II. Scotland.**

250. In Scotland, Joint Committees representative of employers and employees have been set up to regulate the wages and working conditions of employment in (1) the Retail Grocery, Provision and Allied Trades, (2) the Retail Drapery, Outfitting, Footwear, and Allied Trades, and (3) the Retail Radio Trade. The constitution and functions of these Committees, and the arrangements in certain other sections of the Retail Distributive Trades, are described in the following paragraphs.

### **Retail Grocery, Provision and Allied Trades.**

251. The Committee consists on the employers' side of representatives of the Scottish Federation of Grocers' and Provision Merchants' Associations and the Multiple Grocers' Association (Scottish Section), and on the workers' side of representatives of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks. The objects and functions of this Committee are similar to those of the Joint Industrial Councils set up for the various Retail Distributive Trades covering England and Wales, including the regular consideration of the remuneration and working conditions and the settlement of disputes. The Agreement negotiated by the parties covers minimum rates of pay for branch managers and manageresses, shop assistants, cashiers, vanmen and warehouse staffs, and includes provisions relating to hours of work, overtime payment, wages during sickness and holidays with pay.



An Agreement in terms similar to that described above has also been concluded between the Multiple Grocers' Association (Scottish Section) and the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks. This sets out a procedure to be followed in respect of any differences arising as to the interpretation of any part of the Agreement.

### **Retail Drapery, Outfitting, Footwear and Allied Trades.**

252. The Committee consists on the employers' side of representatives of the Scottish Retail Drapers' Association, the Scottish Credit Traders' Federal Board, and the Scottish Association of Men's Outfitters, and on the workers' side of representatives of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks and the National Union of Distributive and Allied Workers. The functions of this Committee include the settlement of differences and the consideration of special cases where employers claim relief from the minimum scales of wages in the Agreement negotiated by the Committee. These scales cover all employees, including branch managers and manageresses, engaged in the Retail Drapery, Outfitting, Footwear and Allied Trade except craftsmen, production staff and transport workers. The Agreement also includes provisions relating to hours of work, overtime payment, wages during sickness, and holidays with pay.

### **Retail Radio Trade.**

253. The Committee consists on the employers' side of representatives of the Scottish Radio Retailers' Association and on the workers' side of representatives of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks. An Agreement between the parties states that they shall meet to discuss terms of wages and conditions of employment and sets out the procedure to be followed in the event of non-ratification of any proposal by the membership of either organisation. A further Agreement dealing with rates of wages and general conditions of labour contains minimum wages rates and war bonus for branch managers, branch manageresses, shop assistants and cashiers, and includes provisions relating to hours of work, overtime, wages during sickness and holidays with pay.

### **Aberdeen Meat Trade.**

254. An Agreement between the Aberdeen, Banff, Moray and Kincardine Master Butchers' Association and the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks sets out rates of wages and working conditions for branch managers, van salesmen, journeymen and apprentices. The Agreement provides that any differences which arise with regard to the Agreement or other matters affecting conditions of employment not otherwise settled, shall be referred to a Joint Committee consisting of five representatives from the Association and five representatives from the Union. It further provides that if the Committee cannot reach a decision the Minister of Labour and



National Service will be asked to appoint an independent Chairman to hear the facts and give a final and binding decision.

### **Co-operative Societies.**

255. Wages and conditions covering retail distribution are negotiated between the Scottish National Co-operative Wages Board and various Trade Unions, those mainly concerned being the National Union of Distributive and Allied Workers and the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks. In the event of any dispute arising between the Societies and Trade Unions which are parties to the National Conciliation Board for the Co-operative Service and which cannot be settled locally, the procedure for the settlement of disputes in that Service which is referred to in Section II of this Handbook, can be brought into operation. There is, in addition, a Joint Board of Conciliation and Arbitration (Scotland) which has a procedure that can be used in the event of any of the bodies involved in a dispute in the Co-operative Service not being parties to the National Board.

### **General.**

256. In addition to those mentioned above, there are in existence many agreements concluded between individual firms and Trade Unions in various branches of retail distribution in Scotland. The procedure in such cases is normally limited to provision of notice of intended change in the agreement.

## **LONDON WEST END THEATRES.**

257. The London Theatre Council was formed in 1935 as a result of discussions following the settlement of a dispute caused by a decision of the British Actors' Equity Association that the principle of the "closed shop" should be adopted at a West End theatre. The Council was the first permanent body of its kind in the history of the British stage. It consists of twenty members, half of whom are representatives of managers and half representatives of artists, together with an independent Chairman. The representatives have been nominated by the Society of West End Theatre Managers on the one hand and the British Actors' Equity Association on the other. Other associations can become affiliated to the Council if occasion arises. The independent Chairman has no vote, but in case of a deadlock he has power to make a recommendation on any matter. He may give a binding decision if requested to do so by unanimous vote.

258. The objects of the Council are as follows:—

(1) To secure the largest possible measure of co-operation between Managers and Artists for the safeguarding and development of the theatre as a part of the national life.



(2) To secure the recognition of mutual interests and obligations, to devise ways and means of settling any differences that may arise and generally to bring together the experience and different points of view of those engaged in connection with theatres as Managers or Artists.

(3) To secure complete organisation of Managers and Artists and to resist the action of those who would seek to avoid their mutual obligations or would injure the standard conditions of employment by offering or accepting engagements on less favourable conditions.

(4) To approve and maintain Standard Forms of Contract.

259. The Constitution provides for a register of approved Managers and approved Artists. This has served to overcome the difficulties which had previously existed concerning the "close shop." All the members of the affiliated associations become registered and remain registered so long as they are members of those associations. Artists at the time of engagement must be registered as Artists approved by the Council, but any question arising with regard to the registration of any Manager or Artist is determined by the Council. It is provided that if all Artists engaged are registered and a standard form of contract approved by the Council is used, no action shall be taken to impede or endanger the production or run of a play.

260. The various grades of tradesmen, stage hands, box office assistants, wardrobe department staff, catering staff, etc., employed in London West End theatres are covered by a wages and conditions Agreement concluded between the Society of West End Theatre Managers and the National Association of Theatrical and Kine Employees. This Agreement provides that any dispute or question not settled by the parties concerned shall be referred to a Conciliation Board consisting of not less than two members of the Society and two members of the Association (not being parties to the dispute). If the Board does not come to a decision within fourteen days of their first meeting the question may be referred for final decision to such person as the Board may agree to appoint.

261. An Agreement has also been concluded between the Society of West End Theatre Managers and the Musicians' Union, London District Branch, setting out minimum rates of pay and conditions of employment of musicians engaged to play in West End theatres. The Agreement provides that in the event of any dispute or difference arising as to the interpretation of the Agreement or the terms and conditions contained therein, it shall be referred to a Conciliation Board consisting of an equal number of representatives of the Society and the Union. The decision of the Board must be given within fourteen days of reference, and is binding.



## Section IV

**WORKSHOP COLLABORATION**

1. Other Sections of this Handbook are devoted in the main to a consideration of the machinery of industrial relations—the organisation of employers and workpeople and the development of joint negotiations between organisations of employers and workpeople, State provision for the avoidance and settlement of trade disputes, statutory wage regulation, etc. This Section deals with the relationships within the industrial establishment between the workers and management.

2. In every industrial undertaking there arise day by day questions of mutual concern to both the management and the employees. These questions cover an extraordinarily wide range bearing on the daily life of the worker, and they include matters relating to production, working conditions, health and safety, welfare in its commonly accepted definition, training, discipline and the application of Works Rules. While basic terms and conditions of employment are determined in most industries according to national or district agreements between organisations of employers and Trade Unions, the application of agreements in detail may have to be settled in the light of individual circumstances. This may involve such questions as piecework prices, payment by results and bonus schemes, the grading of workers, the arrangement of working hours, shifts and holidays, allowances and other items which affect in some way or another the workers' remuneration and conditions of employment.

3. Unless these questions are dealt with satisfactorily a situation may develop which calls for action under the disputes procedure of the industry, or for conciliation, and the basis of sound industrial relations must lie in a careful handling of day to day problems as they arise in individual establishments. In a small undertaking these questions can be settled as they arise by direct contact between the management and the individuals concerned. In larger undertakings there must be some recognised channel and procedure through which the workpeople can make their representations or can be consulted. In some industries a procedure is carefully defined by agreement; in others custom and practice determine the manner in which questions are raised between the management and the accepted representatives of the workpeople.

4. On the side of management it is increasingly common to centralise in one department responsibility for administrative duties relating to the employment and welfare of employees. The head of such a department may be variously known as the Personnel Manager, or the Labour Manager, or the Chief of Staff, or perhaps the Welfare Officer. Such a specialised department does not relieve general management of responsibility for handling staff problems, but it is recognised as essential that the head of the department should have adequate status and authority within the



establishment and that a thorough knowledge of labour problems is required on the part of those who specialise in these duties.

This tendency towards a Personnel Department as a necessary part of management, was further encouraged by the issue in July, 1940, of the Factories (Welfare and Services) Order (S.R. & O. 1940, No. 1325), and by the special arrangements made by the Ministry of Labour and National Service for training courses in order to provide an adequate supply of personnel or welfare officers. Under the Order, the Chief Inspector of Factories is empowered to require the occupier of a factory to arrange for the whole- or part-time employment of persons qualified for medical supervision, nursing and first-aid services, or welfare supervision.

5. The main duties of a Personnel Manager are to assist his Board of Directors to formulate clearly defined and well developed personnel policy and to ensure that Departmental Heads and their staffs understand and apply the personnel policy of the company in their day to day contacts with employees. The functions which are becoming generally accepted as appropriate to a Personnel Department are as follows:—

(1) *Recruitment and Selection*.—Relations with the Employment Exchange service of the Ministry of Labour and National Service. Interviewing, selection, engagement and follow-up of workers.

(2) *Initiation and Training*.—Helping the worker to adjust himself to factory environment. Explaining factory organisation and procedure. Arranging for training in fundamental methods of work.

(3) *Records and Statistics*.—Compiling records (engagements, transfers, leavers, individual personal records); compiling, estimating and analysing statistics (age groups, absenteeism, labour turnover, departmental numerical strength).

(4) *Employment*.—Ensuring the application of statutory and other recognised terms and conditions of employment, e.g. wages, hours, promotion, leave, holidays, transfers and discharges.

(5) *Methods and Standards of Remuneration*.—Maintenance of the accepted wage structure.

(6) *Maintenance of Good Working Conditions*.—Relations with the Factory Inspector. Administration of Factories Acts; advising management regarding factory conditions and methods of reducing fatigue.

(7) *Health Services*.—Co-operation with the Medical Department where one exists. In the absence of a Medical Department, supervising factory health and hygiene and first-aid arrangements.

(8) *Employees' Services*.—Relations with local authorities; assisting with transport, billeting, canteens, welfare arrangements. Advising on personal problems.



(9) *Joint Consultation*.—Management and employee co-operation by means of Joint Consultation Machinery.

A detailed examination of all these functions is outside the scope of this Handbook, which is concerned primarily with joint voluntary machinery which is set up by agreement between employers' and workpeople's organisations.

## WORKS COMMITTEES.

6. Before the war of 1914-18 there were comparatively few joint bodies established for workshop consultation between management and workers. In most cases Works Committees comprised representatives of the workpeople only and their activities were largely confined to taking up grievances or complaints with the management. During that war, however, industrial changes due to the expansion of war production brought home the need for more systematic consultation between management and workpeople and there was a considerable increase in Works Committees of a joint character.

7. In 1917 the Whitley Committee on the Relations between Employers and Employed recommended the establishment for each industry of a joint body representative of employers and workpeople, to have as its object the regular consideration of matters affecting the progress and well-being of the trade from the point of view of all those engaged in it, so far as this was consistent with the general interests of the community. As a means to this end the Committee recommended the formation of joint standing Industrial Councils representative of associations of employers and workpeople, meeting at regular and frequent intervals. The Committee took the view that "it is not enough to secure co-operation at the centre between the National Organisations—it is equally necessary to enlist the activity and support of employers and employed in the districts and in individual establishments." The Committee accordingly recommended the establishment of District Councils in conjunction with National Councils and of Joint Works Committees representative of the management and the workpeople in individual establishments. Within this triple organisation the objects of Works Committees were to provide a recognised means of consultation between the management and the employees, and

(1) to give employees wider interest in and greater responsibility for the conditions in which their work is performed;

(2) to enforce the regulations contained in collective agreements drawn up by District and National Authorities; and

(3) to prevent friction and misunderstanding.

Works Committees were, however, to be excluded from any interference in regard to wages and working conditions which were the subject of negotiations through the National or District Councils, although it was considered that any issue of interpretation in regard to local peculiarities could be discussed.



Following the Whitley Report the Ministry of Labour in 1920 published suggestions as to the Constitution and Functions of Works Committees in industries in which National Joint Industrial Councils are established. These suggestions are reproduced in Appendix II.

8. Although not always conforming to the Whitley model, the idea of National and District machinery representative of employers' associations and Trade Unions has been widely adopted in the organised sections of industry, primarily for the settlement of wages and working conditions. In some industries joint Works Committees have also been established in association with National or District machinery. Until 1940, however, joint workshop consultation through Works Councils or Committees was largely confined to matters affecting the application of recognised terms and conditions of employment and matters of welfare and similar amenities. Various reasons have been advanced for the lack of development of joint workshop collaboration on a wider basis as envisaged by the Whitley Committee. It has been said on the one hand that employers have insisted upon what are claimed to be "managerial rights", and on the other hand that Works Committees may tend to cut across general trade union policy and that even in the workshop the interests of the individual worker can best be handled by official trade union representatives. Nevertheless, at the outbreak of war in 1939, there were probably very few large industrial undertakings in which there was not some form of organisation to which the title of Works Council or Works Committee was, or might have been, applied, even although the functions of such bodies were undoubtedly very limited in their scope.

9. Apart from Committees dealing primarily with welfare and similar questions, there were in 1939 three main types of Works Committees or Councils:—

(1) those which formed part of an industry's recognised procedure of negotiation for the settlement of wages, working conditions and disputes;

(2) those associated with joint machinery on the Whitley model; and

(3) a smaller group developed by individual managements in an endeavour to build up and maintain a good relationship and a spirit of co-operation between themselves and their work-people.

10. Many of the Works Committees of the first type are not joint bodies, but consist entirely of representatives of workpeople in Trade Unions which are party to trade machinery. Although such Committees are not joint in character, they do in some measure satisfy the Whitley conception of Works Committees, as they may form an integral part of the machinery of the industry and their functions, while normally limited, can be developed on a wider basis. Perhaps the oldest form of committee of this type is the



"chapel," which is found throughout the highly organised Printing Industry. Works Committees also function in many establishments in the Engineering Industry, where they have operated under an agreement made in 1922, referred to in paragraph 13 below. Yard Committees of a somewhat similar character also exist in many shipyards.

11. Although, as already mentioned, Works Committees have not been commonly developed as part of the joint machinery in industries where Joint Industrial Councils have been established, there are certain exceptions among which may be mentioned those connected with the Joint Industrial (Whitley) Councils for Pottery, the Match Industry, Electricity Supply and Municipal Transport. Even in these industries, however, there are many establishments in which such Committees have not been set up.

Another example of Committees based on the Whitley model is to be found in the Railway Industry, where the machinery of negotiation in the case of the traffic grades provides for Local Departmental Committees and in the shop grades where there are Works, Shop and Departmental Line Committees, all of which are joint in character.

In the Government Service also, Works and Departmental Committees conforming to the Whitley pattern have been fully developed both as regards industrial and staff employees.

12. Committees belonging to the third group operate in many establishments. They have been constituted *ad hoc* and form no part of any general plan of collaboration in an industry. Also they do not conform to any particular pattern either as regards constitution or functions, and it is not possible to reduce them to any classified models or to state any set of circumstances in which a particular kind of committee is general throughout a particular industry.\*

13. The composition of Works Committees and the extent to which trade union representatives including Shop Stewards participate in workshop co-operation varies from industry to industry and from establishment to establishment. In some industries the status of Shop Stewards is defined in the Union Rules and their position in regard to collaboration in the workshops is set out in agreements between the two sides of the industry for settling wages and conditions generally. In Engineering, for example, a general agreement made in 1922 included clauses "amplifying the provisions for the avoidance of disputes by recognition of Shop Stewards and the institution of Works Committees." This Agreement provided that "a Works Committee may be set up in each establishment consisting of not more than seven representatives of the management and not more than seven Shop Stewards, who

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\* Note: Information about various schemes of Works Councils and Committees of this type is contained in a booklet entitled "Works Councils and Committees" published by the Industrial Welfare Society in 1941.



should be representative of the various classes of workpeople employed in the establishment," and also that Shop Stewards should be afforded facilities by the management to carry out their duties.

14. In other industries no formal official recognition is afforded to Shop Stewards by the Union of which they are members, and there is no regular machinery for consultation between the Stewards and the union officials. Even where the standing of the Shop Stewards is not formally established, they are very often elected to Works Committees, and in many Committees some, if not all, of the workers' representatives are Shop Stewards. The Committees set up in individual establishments on an independent basis have, however, shown very great variations in the qualifications for membership and in their composition, particularly in factories where the workers are not strongly organised.

15. In addition to varying degrees of Shop Steward representation on Works Committees or Councils, there are many establishments in which there is no formal Committee but where regular consultation between management and workers takes place through the medium of Shop Stewards.

16. Under the Essential Work (General Provisions) Order, Works Committees of the various types mentioned above are given the additional war-time function of considering cases of alleged absenteeism or persistent lateness, provided that the National Service Officer of the Ministry of Labour and National Service is of opinion that the Committee is an "appropriate Committee" for this purpose. Where such an "appropriate Committee" is held to exist no Court proceedings for absenteeism or persistent lateness can be taken until the Committee has considered the case and made a report to the National Service Officer. Although the Essential Work Order recognises Works Committees and the value of internal works discipline in this way, it does not contain any provision for the establishment of "appropriate Committees" and accordingly does not disturb the fundamental principle that the establishment of any form of Joint Committee in industrial establishments is a matter for voluntary decision between the parties concerned.

17. In addition to the above, certain Essential Work Orders dealing with particular industries contain various provisions for the reference of cases of absenteeism and certain other matters to Joint Production Committees of the types described in the following sub-section.

### **JOINT PRODUCTION COMMITTEES.**

18. The great productive effort called for since the outbreak of war in 1939 has given a stimulus to collaboration and consultation between employers and workpeople. In December, 1940, the Minister of Labour and National Service (Mr. Ernest Bevin) stated in the House of Commons: "It is my considered view that, in order to avoid conditions which cause discontent, there should be established in all industrial establishments standing joint



arrangements for regular discussion between managements and properly elected representatives of the workpeople on matters in which they are mutually interested." Soon after France fell steps were taken through the Coal Production Council to encourage the establishment of Pit Production Committees. At this time also action was taken with a view to strengthening and widening the functions of Yard Committees in the Shipbuilding and Ship-repairing Industry. In February, 1942, the Ministry of Supply entered into an Agreement with the Unions concerned to establish in each Royal Ordnance Factory a Consultative and Advisory Committee for the regular exchange of views between the management and the workers on matters relating to the improvement of production, to increase efficiency for this purpose, and to make recommendations thereon. In March, 1942, the Engineering and Allied Employers' National Federation entered into an Agreement with the Unions regarding the constitution of Joint Production Consultative and Advisory Committees in federated Engineering establishments.

19. The Government actively supported these movements and in the case of the Engineering Agreement arrangements were made for the Supply Departments, acting in collaboration, to draw the attention of all their contractors to the Agreement and to the desirability of Production Committees on the lines recommended. In the Building and Civil Engineering Industries also action was taken to encourage contractors and their workpeople to improve production by closer co-operation on the sites of big works. A brief account of the lines upon which the idea of Joint Production Committees was developed in the four industries mentioned is given in the following paragraphs.\*

#### **Pit Production Committees.**

20. These Committees, representing both management and workers, have been set up at practically every colliery. Their main function is to discuss and advise on questions of production and increasing output. Their composition varies slightly from district to district and they draw up their own rules of procedure. Under the Essential Work (Coalmining) Order they have certain advisory and consultative functions in connection with absenteeism and with the performance by a pit worker of services outside his usual occupation.

#### **Shipyard Committees (commonly known as Yard Committees).**

21. Yard Committees existed in some shipyards before the war, but their establishment became general as a result of conferences between the Shipbuilding Employers' Federation and the Confederation of Shipbuilding and Engineering Unions to consider questions arising in connection with the making of the Essential

\* Note: More detailed information regarding Joint Production Committees and their activities is given in a publication of the International Labour Organisation, Studies and Reports Series A (Industrial Relations) No. 43, entitled "British Joint Production Machinery".



Work (Shipbuilding and Shiprepairing) Order in March, 1941. under this Order Yard Committees may act as "appropriate committees" for the purpose of dealing with cases of absenteeism, persistent lateness, disobedience of lawful orders, impeding production, or the performance by a shipyard worker of work outside his usual occupation. When the Order was made, it was agreed to constitute District Consultative Committees for the purpose of advising the District Shipyard Controllers on such points as the best use of labour and other matters affecting production, and to extend the functions of Yard Committees in conformity with the provisions of the Order. The functions of these Committees were subsequently extended to cover all matters affecting production.

### **Joint Production Consultative and Advisory Committees in the Engineering Industry.**

22. The Agreement reached between the Employers' Federation and Trade Unions in the Engineering Industry, which made provision for Committees to be established in federated establishments for the regular exchange of views between the management and the workers on matters relating to the improvement of production and to increase efficiency for this purpose, is set out in full in Appendix III. Points to be noted in this Agreement are (1) the definite exclusion from the functions of the Committee of matters which are trade questions, such as wages and like subjects covered by agreements with Trade Unions or normally dealt with by the approved machinery of negotiation; (2) the arrangement that no further step need be taken where machinery exists satisfactory to the Federation and the Trade Unions and it is agreed that such machinery should be used; and (3) the limitation of membership of the Committee to adult organised workers, although all workers are entitled to take part in the election.

### **Site Committees in the Building Industry.**

23. Before the war, in large employers' establishments, or on Building and Civil Engineering contracts of a considerable size, the Trade Unions concerned usually organised a Works Committee for the purpose of co-ordinating activities on the workers' side and bringing grievances to the notice of employers. Joint Works Committees were not common in this industry, but in 1942, by an amendment to the Essential Work (Building and Civil Engineering) Order, the Minister of Labour and National Service was empowered to make or approve, after consultation with the parties concerned, arrangements for the consideration of cases of absenteeism or persistent lateness by a Joint Committee or other body established for a particular undertaking. In addition, the Ministry of Works has encouraged the setting up of Site Committees with wider functions. These Committees are representative of the management and organised workpeople, although not necessarily in equal numbers. They are mainly concerned with welfare, but it is accepted that they can deal with



other purely local questions, including production. They may be said, therefore, to include the functions of Joint Production Committees, as it is competent for either side to raise any suggestions for improvement of production.

### General.

24. The development of Joint Production Committees under the impetus of war conditions and, in some cases, on the basis of nationally agreed arrangements, has made for less variety in the constitutions of such Committees than is apparent in the wide range of Works Committees and Councils set up in many undertakings prior to the war. Nevertheless, many Joint Production Committees do not follow rigidly the provisions of agreements, and it is generally accepted that flexibility is necessary and desirable.

25. In most industries the election of representatives of the workers to Joint Production Committees is by ballot, although in some cases it is by trade union nomination. Ballots are conducted in some undertakings by the Trade Unions concerned, and in others jointly by the Trade Unions and the management. In some industries voting is open to all workers, while in others it is limited to adult workers. In Royal Dockyards the worker-members of the Committee are nominated by the Trade Union concerned; in private Shipbuilding and Ship-repairing yards they are elected by a ballot undertaken by the District Committee of the Confederation of Shipbuilding and Engineering Unions in respect of each establishment.

As regards eligibility of worker-members, some employers prefer the type of Committee in which membership is open to Unionist and non-Unionist alike, election depending solely on the popular vote. The Unions, however, generally speaking, discourage their members from participation in Committees of this character.

26. Joint Production Committees normally have some provision regarding minimum length of service (for example, a year) as a qualification both for voting and for membership of Committees. The size of Committees is generally between five and ten representatives of workers and management respectively. It has not in all cases been considered necessary to have equal numbers on each side, since the discussions are in the nature of round-table conferences.

27. The functions of Joint Production Committees which were initially set up or extended for the purpose of stimulating war production in individual undertakings, have in some cases been adapted to meet the varying circumstances arising as the war has progressed. For example, where cuts in certain types of production have become necessary, the circumstances are explained to Committees by representatives of the Supply Department concerned so that the workers may understand that the cut is no reflection upon them or the management, and may also appreciate that owing to changed war requirements transfers to other work may be necessary.



28. Apart from production matters, the circumstances of war have emphasised the desirability of close collaboration in the workshop in other ways. In peace time many differences do not come to a head because the worker leaves the employment. During the war freedom to discharge and freedom to seek other employment are necessarily restricted and there is a greater need than ever for full collaboration between employer and workpeople. Also new problems have been created by war conditions, such as difficulties affecting workers transferred from home, distribution of overtime, changes in production, and dilutee and part-time labour and new industrial processes. The opportunities for arriving at a clear understanding of one another's problems by joint discussion resolve, or at least reduce, to their proper proportions, many difficulties and irritations that would otherwise give rise to disputes. Joint consultation in the workshop may thus be a matter of first class importance.

29. The development of workshop collaboration, whether by means of Committees or by other methods, must be a voluntary process based upon goodwill and the recognition of a common interest between management and employees. Experience shows that there is little permanent value in joint machinery which fails to command general consent and support. Also the machinery must be adapted to meet the needs of each industry.

This has been the underlying principle on which joint voluntary arrangements have been developed in Great Britain, and it continues to have the support of organisations of employers and workers as shown by the following extract from the Report of the Committee on Regional Boards appointed by the Minister of Production in February, 1942:—

“ We feel that the success of the development [of Joint Production Committees] depends on the goodwill of both sides of industry and that the employers' and workers' organisations in the different industries are the parties best qualified to work out the machinery most suitable for their industries.”

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## Section V

### STATE PROVISION FOR THE AVOIDANCE AND SETTLEMENT OF TRADE DISPUTES

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1. Despite the general effectiveness of the voluntary joint machinery which has been established over a very large field of industry, differences are bound to arise from time to time on which there is failure to reach a settlement through an industry's own machinery and procedure. Provision has, therefore, been made by the State for assistance to be available for preventing and settling such differences. This assistance is rendered by the Ministry of Labour and National Service under statutory authority



derived from the Conciliation Act, 1896, and the Industrial Courts Act, 1919.

2. The existing organisation of the Industrial Relations Department of the Ministry of Labour and National Service was developed after the last war in support of voluntary methods and as an expression of the Government's preparedness to assist the efforts of industry to adjust its own affairs. The department now consists of a Headquarters Staff and a staff of Conciliation Officers in each of the Regions into which the country is divided. It is the duty of this staff to keep in close touch with all industrial developments. The main functions of the Industrial Relations Department are:—

(1) assistance in the formation and maintenance of joint voluntary machinery in industry;

(2) the prevention and settlement of trade disputes;

(3) maintaining continuous touch with the state of relations between employers and workpeople.

The Headquarters Staff are also responsible for:—

(4) the examination of all questions brought to the notice of the Government in regard to the relations between employers and workpeople; and for

(5) the tendering of advice to Government Departments on industrial relations questions in general and in respect of their responsibilities for wages and working conditions either on contracts or in respect of direct labour in their employment.

3. The necessities of war have required the introduction of certain measures to avoid stoppages of work and consequent interference with essential production and services. These measures, which are embodied in the Conditions of Employment and National Arbitration Orders, 1940-42, are dealt with in detail in a later Section but it may here be noted that they were framed on the basis of recommendations made by the national bodies representative of employers and workers, to supplement and not to supersede voluntary methods and joint machinery.

4. The normal methods by which the Minister of Labour and National Service renders assistance in the prevention and settlement of industrial disputes are broadly:—

(1) conciliation;

(2) arbitration; and

(3) investigation or formal inquiry.

As indicated above, these methods are based on the legislative authority of the Conciliation Act, 1896, and the Industrial Courts Act, 1919. The latter Act gave effect to recommendations made by the Whitley Committee in their Fourth Report in which the Committee stated:—

“ We desire to emphasise the advisability of a continuance, as far as possible, of the present system whereby industries make their own agreements and settle their differences themselves. . . .



" We are opposed to any system of Compulsory Arbitration; there is no reason to believe that such a system is generally desired by employers and employed, and, in the absence of such general acceptance, it is obvious that its imposition would lead to unrest. . . . For the same reason we do not recommend any scheme relating to conciliation which compulsorily prevents strikes or lock-outs pending inquiry. . . .

" We further recommend that there should be established a Standing Arbitration Council for cases where the parties wish to refer any dispute to arbitration, though it is desirable that suitable single arbitrators should be available, where the parties so desire. . . .

" We suggest that the Ministry of Labour should be authorised to hold a full inquiry when satisfied that it was desirable, without prejudice to the power of the disputing parties to declare a strike or lock-out before or during the progress of the inquiry. . . . Presumably the existing Act [the Conciliation Act, 1896] empowers the Ministry of Labour to publish reports made as a result of inquiries of this character, but, if not, the necessary power should be obtained, so that there may be immediate publication, for the information of those affected by the dispute and of the public generally, of an independent and authoritative account of the matters in difference."

The methods referred to above do not necessarily exclude each other. Thus when methods of conciliation have failed arbitration is available and is frequently adopted as a means of settlement. If there are difficulties in the way of conciliation or arbitration and if the Minister considers that the matter involves interests other than those of the parties immediately concerned the Minister has certain powers to constitute a Court of Inquiry, or a less formal Committee of Investigation, as may be appropriate in the circumstances.

### CONCILIATION.

5. Under Section 2 (1) (b) of the Conciliation Act, 1896, it is within the discretion of the Minister of Labour to take such steps as may seem expedient to induce the parties to a difference to meet together by themselves or through their representatives, under the Chairmanship of an individual selected by them or nominated by the Minister or some other agreed authority. Under Section 2 (1) (c) if either party make application to him, " and after taking into consideration the existence and adequacy of means available for conciliation in the district or trade and the circumstances of the case ", the Minister may " appoint a person or persons to act as conciliator or as a board of conciliation ".

Under Section 2 (1) of the Industrial Courts Act, 1919, the Minister of Labour may take such steps as seem to him expedient for promoting a settlement in any trade dispute reported to him by or on behalf of one or other of the parties. In this Act a trade dispute is defined as " any dispute or difference between employers and workmen, or between workmen and workmen connected with



the employment or non-employment or the terms of the employment or with the conditions of labour of any person ”.

6. It has been the continuous policy of the Ministry for many years to encourage self-government in industry and no action of the kind authorised in the above-mentioned Acts is normally taken by the Minister or his officials unless any negotiating machinery suitable for dealing with the dispute has been fully utilised. The overriding principle is that where there is procedure drawn up by an industry for dealing with disputes, that procedure should be followed. Even where there is no agreed procedure it is desirable that the parties themselves should make an endeavour to reach a settlement. In either case some evidence of the use of procedure or of an attempt to reach agreement must generally be forthcoming before formal intervention by the Ministry takes place. The knowledge, however, that the services of the Ministry are available results in requests for advice or assistance when difficulties occur and Conciliation Officers are thus enabled to prevent many differences from becoming active disputes.

### ARBITRATION.

7. Under both the Conciliation Act and the Industrial Courts Act provision is made for arbitration by consent of both parties but there is no means of compelling an unwilling party to go to arbitration. The Conciliation Act is limited in scope but the Industrial Courts Act allows great flexibility in regard to forms of arbitration. It is important to note that apart from the need for the consent of both sides the Minister is under an obligation to avoid a reference to arbitration unless and until there has been a failure to obtain a settlement by means of any agreed arrangements that exist in the industry concerned for settlement by arbitration or conciliation. Arbitration awards under these two Acts are not legally binding on the parties concerned, but since they are the result of a joint application to the Minister, they are almost invariably accepted.

The Acts provide for reference of cases by the Minister for arbitration by:—

- (1) the Industrial Court; or
- (2) one or more persons appointed by the Minister; or
- (3) an *ad hoc* Board of Arbitration.

#### The Industrial Court.

8. The Industrial Court was established under the Industrial Courts Act, 1919, following the recommendation by the Whitley Committee that there should be a Standing Arbitration Council “... to which differences of general principles and differences affecting whole industries or large sections of industries may be referred in cases where the parties have failed to come to an agreement through their ordinary procedure, and wish to refer the differences to arbitration. Such tribunal should include in its membership persons who have practical experience and knowledge of industry,



and who are acquainted with the respective standpoints of employers and workpeople ”.

9. The Court is a permanent and independent tribunal and is not in any way subject to Government or Departmental control or influence. It is not part of the judicial system of Great Britain. Its decisions are not enforceable, but when a decision is accepted or acted upon it forms a term or condition of the contract of employment.

The Court consists of persons appointed by the Minister of Labour and National Service of whom some are independent persons, some are persons representing employers and some represent workmen; in addition one or more women have to be appointed. The Act provides that the Court may sit in Divisions and also that it shall be constituted by such members of the Court as the President directs. In practice, however, the President of the Court who is appointed by the Minister, and two whole-time members, one from each of the panels representing employers and workpeople, have been able to cope with all the cases referred to the Court, and the other members have only been called in the absence through illness or other cause of the whole-time members or where the cases affected women.

10. The rules of the Court (see Appendix IV) allow the President to decide whether any case should be dealt with by a single member or by several members. They also permit representation by Counsel or Solicitors, with the consent of the Court, and allow the Court to appoint assessors. The rules further provide that in the event of a question arising regarding the interpretation of an award, the Minister of Labour and National Service, or any of the parties concerned, may ask the Court for a decision on the matter. Where necessary the Court will arrange for a further hearing before giving such a decision.

11. The Act provides that, where the members of the Court are unable to agree as to an award, the matter should be decided by the Chairman acting with the full powers of an Umpire.

12. In addition to its arbitral functions, the Court may be asked to give advice to the Minister of Labour and National Service on any question connected with a trade dispute or any other matter which, in his opinion, ought to be referred to the Court. A few references have been made to the Court under this provision.

13. Since the Industrial Court was first established, its scope has been extended under the provisions of later Acts. The British Sugar (Subsidy) Act, 1925, the Road Traffic Act, 1930, the Road and Rail Traffic Act, 1933, the Air Navigation Act, 1936, the Bacon Industry Act, 1938, and the Cinematograph Films Act, 1938, which provide assistance to, or regulate the operations of the industries concerned, contain provisions for the payment of Fair Wages and Conditions within the intention of the Resolution of the House of Commons, and for the reference to the Industrial Court of any dispute regarding wages or conditions which cannot be otherwise disposed of. The Road Traffic Act, 1930, contains



the further provision that the Minister of [War] Transport may, on receiving an application from the appropriate organisations of employers and workpeople concerning the periods of duty of drivers of certain vehicles, refer the matter to the Industrial Court for advice.

In addition to the above measures, the Road Haulage Wages Act, 1938, empowers certain road haulage workers or their Trade Unions to make application to the Minister of Labour and National Service if the workers' remuneration is considered to be unfair, and provides that the Minister shall refer the matter to the Industrial Court for settlement if it cannot be otherwise settled by any agreed arrangement within the industry. The Industrial Court is also empowered under the Restoration of Pre-War Trade Practices Act, 1942, to deal with certain questions which may be referred to it in pursuance of an agreement to modify or waive a pre-war trade practice.

14. In addition to these statutory provisions for the reference of matters to the Industrial Court, many industrial agreements provide for the reference of outstanding disputes to the Court and for the acceptance by both parties of the Court's findings.

#### **Single Arbitrators.**

15. Under both the Conciliation Act, 1896, and the Industrial Courts Act, 1919, trade disputes can be referred to single arbitrators appointed by the Minister of Labour and National Service. A single arbitrator can have the assistance of assessors but such assessors are not formally associated with the award in any way and the extent of their activities is a matter for the arbitrator to decide.

#### ***Ad Hoc* Boards of Arbitration.**

16. A third method of arbitration provided by the Industrial Courts Act is the setting up of a Board of Arbitration consisting of one or more persons nominated by the employers concerned, and an equal number of persons nominated by the workpeople concerned, under the chairmanship of a person nominated by the Minister. Such a Board is temporary in character and is constituted for the purpose of arbitration in a particular dispute. Usually there are only three members of the Board, a Chairman and one representative from each of the two sides. In order to facilitate the selection by the two sides of persons to act as members of such Boards, it is incumbent on the Minister under the Act to constitute Panels of suitable individuals. It frequently happens that the parties to a dispute put agreed proposals to the Minister regarding the constitution of the Board and usually the Minister accepts such recommendations. It is the practice to secure the consent of both sides, as part of their agreement to proceed to arbitration, to the Chairman acting with the powers of an Umpire as in the case of the Industrial Court.

The powers of a Board of Arbitration or an arbitrator technically cease with the issue of the Award, and questions of interpretation



cannot, therefore, be referred direct by the parties to the original tribunal. They must be submitted to the Minister, who normally requires the consent of both sides before referring any such question to the original Board or arbitrator.

### **Arbitration—General.**

17. The cost of the Industrial Court and the expenses of *ad hoc* Boards of Arbitration and single arbitrators are borne by the Exchequer. No charge is made to industry in regard to arbitration under the auspices of the Department, but the parties have to bear their own travelling expenses and subsistence allowances as well as the cost of verbatim shorthand notes if these are specially ordered by either party and not by the Chairman.

Single arbitrators and Chairmen of *ad hoc* Boards are entitled to fees on a recognised scale.

The Industrial Court has its own permanent secretariat. In cases involving single arbitrators and special *ad hoc* Boards the Ministry may provide a secretary.

18. The representation of parties by Counsel or Solicitors is discouraged. Whether such representation should be allowed rests within the discretion of the appointed arbitration authority, but if either side is to be legally represented, it is the practice for the other side to be notified of the fact beforehand.

19. Industrial Court awards of general interest are published individually by H.M. Stationery Office; in peace-time, all these awards were published. Awards of arbitrators appointed at the request of the parties concerned are regarded as the property of the parties and their contents are not published or made available to others without their consent.

## **INVESTIGATION AND INQUIRY.**

### **Courts of Inquiry.**

20. Under Part II of the Industrial Courts Act, 1919, the Minister has power to inquire into the causes and the circumstances of any trade dispute whether reported to him or not, and, if he thinks fit, to appoint a Court of Inquiry to inquire into the matter and report to him. Courts of Inquiry have no direct relationship with conciliation or arbitration, and normally it would not be considered expedient to appoint a Court of Inquiry until an attempt had been made to settle the dispute by conciliation. The decision to appoint a Court of Inquiry rests with the Minister and the consent of the parties to the appointment of a Court is not required.

Courts of Inquiry are primarily a means of informing Parliament and public opinion of the facts and underlying causes of a dispute. A Court is appointed only as a last resort when no agreed settlement of a dispute seems possible, and when an unbiassed and independent examination of the facts is considered to be in the public interest. It is obvious, therefore, that the power to set up a Court of Inquiry can only be used sparingly and it is reserved for matters of major importance affecting wider interests than those of the immediate parties to the dispute.



21. A Court of Inquiry may consist of one or more persons, selected and appointed by the Minister. The Chairman is always an independent person, but the other Members of the Court may consist of persons representing in equal numbers employers and workers outside the industry concerned. No definite rules of procedure have been laid down by regulation but the Minute of Appointment usually embodies certain rules which have in practice been found desirable. A Court of Inquiry may be authorised to require persons with knowledge of the subject matter to furnish information and where necessary to attend before the Court and give evidence on oath.

22. Whilst it is not the function of a Court of Inquiry to act as an instrument of conciliation or arbitration, and a Court has no power to enforce a settlement, a Court may make recommendations upon which a reasonable settlement of the dispute can be based. Neither party to the dispute is bound to put into operation any recommendations which a Court may make. Experience has proved, however, that an informed and impartial public examination of the facts and circumstances has considerable value in providing a basis for further negotiations and thus leading to a settlement.

23. The Act requires that any report of a Court shall be laid as soon as may be before both Houses of Parliament.

#### **Committees of Investigation.**

24. The powers vested in the Minister under the Conciliation Act, 1896, enable him to appoint a Committee of Investigation to inquire into the causes and circumstances of a dispute. A Committee may consist of one or more independent persons or may be constituted in the same way as a Court of Inquiry. A Committee of Investigation has not the same powers as a Court of Inquiry to call for information, but by its less formal nature a Committee may adopt a more flexible procedure and may be able to formulate proposals in the course of its inquiry which form the basis of an agreed settlement of the dispute. In the case of an investigation under the Conciliation Act, there is no obligation to lay the report before Parliament.

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### **Section VI**

## **WAR-TIME INDUSTRIAL POLICY AND LEGISLATION**

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### **INDUSTRIAL POLICY.**

1. At the outbreak of war in 1939 it was necessary for the Government to consider the question of avoiding any interruption of war production by stoppages of work due to trade disputes, and also the related question of preventing any inflationary increase in the cost of living which would have a disturbing effect on wage levels and on industrial peace.



2. With regard to wages policy the Government decided to entrust the responsibility for wage regulation to the industrial joint machinery so as to allow wages and working conditions to be negotiated and settled by means of collective bargaining, save in those industries where Trade Boards or similar machinery for statutory wage fixing already existed. Supplementing this joint machinery was the system of conciliation and voluntary arbitration. The decision to maintain these arrangements was taken in agreement with the National Joint Advisory Council, on which the British Employers' Confederation and the Trades Union Congress were represented. It was considered desirable to preserve the well-tried machinery in which employers and workers had confidence. Moreover, this machinery was capable of dealing with the changes and adaptations which arise from day to day in workshops and have to be settled in a way which takes account of the complex and diverse circumstances of the various trades. The policy adopted, therefore, was to continue to leave the various tribunals free to reach their decisions in accordance with their estimate of the relevant facts. In this way it was possible to maintain the joint machinery and the responsibility of the voluntary organisations.

3. In the opening stages of the war this policy was successful, not only as regards adjustment of wages and working conditions but also in the avoidance of trade disputes. There were no trade disputes of outstanding importance and, although minor stoppages of work occurred, the great majority of them affected only individual establishments and were of very short duration. But, following the fall of France in the Spring of 1940, the increase of war production became an even more vital need. On 22nd May, 1940, the National Joint Advisory Council appointed a Joint Consultative Committee, consisting of seven representatives of the British Employers' Confederation and seven representatives of the Trades Union Congress, to advise and assist the Minister of Labour and National Service on matters arising in the period of emergency. This Committee unanimously made the following recommendations:—

“(1) In this period of national emergency it is imperative that there should be no stoppage of work owing to trade disputes. In these circumstances the Consultative Committee representing the British Employers' Confederation and the Trades Union Congress have agreed to recommend to the Minister of Labour and National Service the arrangements set out in the following paragraphs.

“(2) The machinery of negotiation existing in any trade or industry for dealing with questions concerning wages and conditions of employment shall continue to operate.

“Matters in dispute which cannot be settled by means of such machinery shall be referred to arbitration for a decision which will be binding on all parties and no strike or lock-out shall take place. In cases where the machinery of negotiation does not at present provide for reference to such arbitration the parties shall have the option of making provision for such arbitration, failing which



the matters in dispute shall be referred for decision to a National Arbitration Tribunal to be appointed by the Minister of Labour and National Service. The Minister shall take power to secure that the wages and conditions of employment settled by the machinery of negotiation or by arbitration shall be made binding on all employers and workers in the trade or industry concerned.

“(3) In any case not covered by the provisions of paragraph (2), any dispute concerning wages or conditions of employment shall be brought to the notice of the Minister of Labour and National Service by whom, if the matter is not otherwise disposed of, it shall be referred within a definite time limit to the National Arbitration Tribunal for decision, and no strike or lock-out shall take place.

“(4) The foregoing arrangements shall be subject to review on or after 31st December, 1940.”

4. The principles of the foregoing recommendations were accepted by the Minister and effect was given to them by means of a Defence Regulation empowering the Minister of Labour and National Service to make an Order for prohibiting, subject to the provisions of the Order, a strike or lock-out in connection with any trade dispute. (Defence Regulation 58AA—S.R. & O. 1940, No. 1217.) This Regulation preserved the power to refer trade disputes for settlement under the Industrial Courts Act, 1919. The terms of the Order made under the Regulation were settled in consultation with the Consultative Committee and the National Joint Advisory Council. The Order (the Conditions of Employment and National Arbitration Order, 1940) came into force on 25th July, 1940 (S.R. & O. 1940, No. 1305). Three amending Orders were made during 1941 and 1942, but the main provisions of the original Order remained unchanged. Although the main purpose of the Order was to prevent work from being interrupted during the war by trade disputes, it also provided that existing joint negotiating machinery should continue to operate in regard to wages and conditions of employment. The Order is referred to more fully later in this Section.

5. In entrusting questions concerning wages and conditions of employment to the existing machinery of negotiation in industry the Government made it clear that the employers' organisations and the Trade Unions were expected to exercise a sense of duty as trustees for the country in the adjustment of wages and conditions and in the prevention of a rise of prices. This formed part of a wider policy of regulating price levels and of bringing about an equitable distribution of the available supplies of consumers' goods which were limited by shipping difficulties and the diversion of man-power, machinery and factory space to the production of war materials. It was necessary to prevent an excess of spendable money from leading to a rise in the prices of necessary goods and for this purpose, in addition to the arrangements for dealing with



wages problems under joint negotiating machinery, three main methods were adopted:

- (1) Additional direct taxes.
- (2) Rationing of food and clothing to conserve supplies and ensure a fair distribution.
- (3) Price control through the exercise of price fixing powers and the grant of subsidies.

In 1941 the policy of price stabilisation was extended in an endeavour to prevent any rise of the cost-of-living index number, apart from minor seasonal changes, beyond the range of 25 to 30 per cent. above the 1939 level. The attitude of the Government on this matter was explained in a statement presented to Parliament in July, 1941, in the form of a White Paper entitled "Price Stabilisation and Industrial Policy" (Cmd. 6294). The following extract describes the Government's wages policy in relation to the general question of price stabilisation:

" 7. The Government believe that all parties in industry are alive to the dangers of inflation. It is incumbent on employers and trade unions, with all the help the Government can give them, to do their best to prevent the costs of production from rising, from whatever cause. A special responsibility falls upon managements to eliminate waste and to see that the organisation of work is such as to make the most effective and economic use of plant capacity. By the concessions in regard to Excess Profits Tax, the Government have endeavoured in the most effective way to provide an incentive to maximum development of productive capacity, and the urgent needs of the country make it a duty to increase efficiency of production to the utmost. The Government will take such steps as are possible to secure efficiency in establishments engaged on war production and the most effective use of labour resources.

" 8. It is regarded as a duty of both sides in industry to consider together all possible means of preventing the rise of costs of production and so to obviate rise of prices which is the initial step in the inflationary process. The use of the experience and knowledge of workpeople is not less necessary than the application of managerial training and experience and the maintenance of wages and employers' remuneration at a reasonable level should be achieved as far as possible by improvement in the efficiency of production by the joint efforts of employers and workpeople. At the same time there may, consistently with these considerations, be proper grounds for adjustment of wages in certain cases, particularly among comparatively low paid grades and categories of workers, or for adjustment owing to changes in the form, method or volume of production.

" 9. It is the traditional and well-tried practice of the principal industries to regulate wages through their joint voluntary machinery for wage negotiation. On the recommendation of their representatives of the Trades Union Congress General Council



and the British Employers' Confederation on the Joint Consultative Committee and the National Joint Advisory Council, the Government decided to entrust the responsibility for wage regulation in war-time (save where machinery for statutory wage fixing already existed) to the industrial joint machinery, subject only to the Conditions of Employment and National Arbitration Order, which was made with the concurrence of the Joint Consultative Committee and the National Joint Advisory Council and which provides for the more effective enforcement of agreed rates of wages, the reference of unsettled claims to arbitration and the prohibition of strikes and lock-outs.

" 10. Since the outbreak of war, the existing joint voluntary machinery for wage negotiations has operated successfully. Increases in wage-rates have been reasonable; the authority of the unions in the day to day adjustment of wages and conditions has been maintained; the freedom of opportunity to make claims and to have them discussed has enabled industrial peace to be maintained.

" 11. The policy of the Government, therefore, is to avoid modification of the machinery for wage negotiations and to continue to leave the various voluntary organisations and wage tribunals free to reach their decisions in accordance with their estimate of the relevant facts. These will no doubt pay due regard to cases where there are special grounds for adjustment such as those referred to in paragraph 8. If there were to be further increases in the cost of living this would need to be taken properly into account; but it is the object of the policy of price stabilisation to prevent such increases from arising, or at least to keep them within small dimensions, and the success of this policy will be dependent on the extent to which it achieves this object. It will therefore be necessary to bear in mind, particularly when dealing with general wage applications, that the policy of price stabilisation will be made impossible and increases of wage rates will defeat their own object unless such increases are regulated in a manner that makes it possible to keep prices and inflationary tendencies under control."

6. During the period July, 1941, to May, 1944, the official cost-of-living index remained stable at between 28 and 30 per cent. higher than at September, 1939. On 25th April, 1944, the Chancellor of the Exchequer (the Rt. Hon. Sir John Anderson) made the following statements in the course of his Financial Statement on the Budget Proposals:—

" The maintenance of the stabilisation policy is as necessary and as beneficial as when it was first introduced, and the general principles underlying it are as sound as they were. But I am afraid we can no longer regard a cost of living figure of 25 per cent. to 30 per cent. above pre-war as sacrosanct, for the conditions laid down by my predecessor as necessary to the maintenance of this particular figure are now being imperfectly fulfilled."



" In 1941, wage rates were 21 to 22 per cent. above the level of September, 1939. In 1943, the increase had reached 35 per cent. to 36 per cent. on the average of the year. To-day, the rise amounts to 40 per cent. This is the increase in wage rates. Earnings have, of course, increased considerably more. Thus, during the period over which the cost of living index has been rigidly stabilised, wage rates have risen by about 15 per cent. A number of these increases were necessary to remedy anomalies in particular industries. No doubt other increases have been justified by a significant increase in the efficiency of labour, despite war-time handicaps, but there has been, in certain directions, an increase in the effective labour costs of domestic production. When the stabilisation policy was first introduced wage rates had risen 6 per cent. less than the cost of living, but to-day they show a rise of 11 per cent. more than the cost of living. It would place the stabilisation policy in an altogether false perspective, and the purpose of it would to a large extent be stultified, if the Government were to continue blindly pouring out subsidies, to keep the cost of living down rigidly to a pre-determined level, without regard to the current level of costs and wages. The apparent ease with which the stabilisation policy has, so far, been carried out, must not be allowed to mislead people into taking it for granted. I should be failing in my duty if I did not remind the country of the vital link between wages and prices and warn them frankly that grave dangers loom ahead if the tendency to a general upward movement is not kept in check. It is equally important that industrialists should do everything they can, especially when they are taking war contracts, to keep prices as low as possible. There may be some people who think that, because new techniques have enabled us to control prices and to maintain orderly distribution, inflation of incomes no longer matters. That is a fallacy. The more incomes are out of line with prices, the more it is necessary to intensify the most inconvenient forms of control. We all hope to see the end of rationing and other controls as soon as we safely can. We must make certain that, in the meantime, the volume of money incomes is not so swollen that the removal of controls would be attended by violent price inflation."

" Having regard to the higher domestic costs of production, and also to import costs, I feel that for the ensuing year a range for the cost of living index of 30 per cent. to 35 per cent. over pre-war should be substituted for the 25 per cent. to 30 per cent. laid down by Sir Kingsley Wood in 1941. This will only offset one quarter of the increase in wage rates which has occurred since he spoke and it is, I think, in a better and more stable relation to the current facts of wages and prices at home and abroad. I should add that while this should be regarded as the current range, the upper limit is a maximum only, and no substantial increase towards the new higher limit is immediately in view."

(Hansard, 25th April, 1944, Cols. 660-3).



## CONDITIONS OF EMPLOYMENT AND NATIONAL ARBITRATION ORDERS, 1940-42.

7. As indicated previously, the main purpose of the Order made in 1940 was to prevent work from being interrupted during the war by trade disputes. At the same time the principle underlying all its provisions was in line with earlier policy. Thus, the Order provides that existing joint machinery in any trade or industry should continue to operate and reported disputes are only to be taken to compulsory arbitration where the matter cannot be settled by negotiation between the parties or by an agreed reference to voluntary arbitration. It was recognised, however, that to achieve the full purpose of the Order, it was necessary not only to supplement existing machinery for the settlement of differences by providing an ultimate resort to arbitration, but also to require recognised wages and working conditions to be observed and so to minimise the causes of disputes. Consequently, while Part I of the Order provides for the settlement of disputes by negotiation and if necessary by arbitration, Part III makes it obligatory upon employers in every district to observe terms and conditions which have been settled by collective agreement or by arbitration for the trade concerned in that district. Part II of the Order prohibits lock-outs and strikes unless the difference has been reported to the Minister and has not been referred by the Minister for settlement within three weeks from the date on which the difference was reported to him. Part IV of the Order provides for the recording of departures from trade practices during the war, with a view to facilitating the operation of legislation for the restoration of those practices after the war.

### Provisions of the Order.

8. *Part I.*—The National Arbitration Tribunal established under this part of the Order is constituted, for the purposes of any particular case, of five members, three being Appointed Members, one of whom is Chairman, together with two other members, one of whom represents workers and the other employers. The members are selected for each case by the Minister of Labour and National Service from a panel of Appointed Members and from two panels of Representative Members constituted by the Minister after consultation with the Trades Union Congress and the British Employers' Confederation.

9. Either party to a trade dispute\* may report such dispute to the Minister. The report must be made in writing and must contain such particulars as the Minister may require. If in the trade or industry concerned there is collective joint machinery which is suitable for settling the dispute, the Minister must refer the dispute to that machinery. If, as a result, there is failure to reach a settlement or a settlement appears to the Minister to be unduly delayed, he can

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\* The term "trade dispute" is defined in the Order as "any dispute or difference between employers and workmen or between workmen and workmen connected with the employment or non-employment, or the terms of the employment or with the conditions of labour of any person."



cancel the reference and refer the dispute to the National Arbitration Tribunal. In cases in which there is no suitable joint machinery in existence and there is failure to settle the dispute by conciliation, the Minister may forthwith refer the dispute for settlement to the National Arbitration Tribunal.

10. If the dispute has not been otherwise settled under the foregoing procedure, the Minister must refer the dispute to the National Arbitration Tribunal within twenty-one days from the date on which the dispute has been reported to him, unless there are special circumstances which make it necessary or desirable to postpone such a reference. Experience has shown that further time may make it possible for the parties to reach a settlement; and, in practice, about half the disputes reported are settled in one way or another without reference to arbitration. But unless a settlement is reached otherwise, the case must ultimately be referred to the National Arbitration Tribunal. Any agreement, decision or award which results from such references by the Minister whether by reference to existing joint machinery, or reference to the National Arbitration Tribunal, is binding upon the parties, and the terms of the settlement become an implied term of the contract between the employers and workers to whom the agreement or award relates. If, as is possible, organisations of employers and workers decide to refer a dispute reported under the Order to a form of arbitration agreed between them, whether under existing machinery or otherwise, and that reference to arbitration is made under the Order, the award is similarly legally binding upon the parties.

11. *Part II* prohibits lock-outs and strikes unless disputes have been reported to the Minister and have not been referred by the Minister for settlement within twenty-one days from the date on which they are reported.

12. *Part III* requires the observance by all employers of terms and conditions not less favourable than "recognised terms and conditions." These are defined as "terms and conditions of employment which have been settled by machinery of negotiation or arbitration to which the parties are organisations of employers and trade unions." The organisations must be representative, respectively, of substantial proportions of employers and workers engaged in the trade or industry in the district concerned. These terms and conditions applicable under voluntary collective agreements, decisions of Joint Industrial Councils and similar joint bodies, and arbitration awards are not to be deemed less favourable than the recognised terms and conditions.

Statutory provisions relating to wages and working conditions such as Trade Board and Road Haulage Wages Board decisions are recognised, but where in such cases better wages and conditions in respect of a particular employer or an employers' organisation have been settled by agreement or arbitration, these agreed wages and conditions have to be observed by those employers who are parties to such settlements.



13. Questions arising as to the terms and conditions which should be observed in particular cases may be reported to the Minister and the procedure is the same as that in Part I for the settlement of disputes. An important condition is that these questions can only be reported by an organisation of employers or a Trade Union which habitually takes part in the settlement of wages and working conditions in the trade concerned. The terms of settlement of such questions become obligatory.

14. *Part IV* lays down procedure for recording particulars of departures from trade practices. Further reference to this part of the Order is made in the following section dealing with the restoration of pre-war trade practices.

### RESTORATION OF PRE-WAR TRADE PRACTICES ACT, 1942.

15. When the grave military situation of May, 1940, developed and the Minister of Labour and National Service was vested with powers to control and use all labour and to direct any person in the United Kingdom to perform such services as might be specified, the Government undertook to take steps to ensure that at the end of the war any trade practices which had been set aside or relaxed during the war would be restored. It was also agreed to deal with this problem in the closest co-operation with Trade Unions and employers' organisations.

16. As a preliminary measure in 1940 it was arranged, in consultation with the Joint Consultative Committee, that Part IV of the Conditions of Employment and National Arbitration Order, 1940, should provide procedure under which memoranda recording particulars of trade practices and departures might be made by employers, employers' organisations and Trade Unions and deposited at a local office of the Ministry of Labour and National Service. Under this measure if the parties do not agree in regard to the facts, each party may make its own statement, and where there is such disagreement a duly authorised officer of the Ministry, after inquiry in the establishment concerned, will also prepare a memorandum to be deposited with the other statements. These records are intended to facilitate any proceedings necessary in respect of the restoration of practices after the war. They may at any time be inspected and copied by any employer or organisation interested.

17. The Restoration of Pre-War Trade Practices Act, 1942, makes provision for the post-war restoration of trade practices departed from during the war, and implements the undertaking given by the Government.

18. The "trade practices" concerned are defined as rules, practices or customs with respect to "the classes of persons to be or not to be employed" and "the conditions of employment, hours of work or working conditions." The Act is not concerned with wages. The most frequent changes of practice with which it is concerned are those connected with the many aspects of the dilution of skilled labour and the demarcation of work between different classes of workpeople.



19. The trade practices before the war did not rest on statutory legislation and the Act does not establish a statutory code of trade practices. It provides for the re-establishment for a period of eighteen months after the end of the war period of the practice which existed immediately before the war. After that period has expired, the way will be clear for the resumption of the normal methods of settling conditions of employment by collective bargaining, and in the meantime negotiations will be possible for the purpose of reaching an agreed adjustment of trade practices to the post-war circumstances.

20. The Act lays down that where a trade practice obtained immediately before the war has been departed from in an undertaking during the war, the employer must within two months of a date to be appointed by the Minister of Labour and National Service as being the end of the war period for the purpose of the Act, restore or permit the restoration of the practice and maintain it for eighteen months. (The scope of this provision includes certain trade practices which were departed from before the outbreak of war but after 30th April, 1939, with a view to accelerating the production of munitions of war.) If restoration should be effected before the appointed date, it is to be continued for eighteen months from the appointed date. If an undertaking or branch of an undertaking began to be carried on during the war, the employer is placed under an obligation to introduce and maintain such trade practices as obtained immediately before the war in similar undertakings or branches of undertakings.

21. The Act provides that an agreement to modify or waive the obligation to restore a trade practice or alternatively to refer the question of modification or waiver to arbitration may be made as respects any undertaking or branch between the employer or an organisation of employers, and the appropriate Trade Union. If such an agreement is made, the employer will be deemed to have discharged his obligation so long as he complies with the terms of the agreement or arbitration award.

22. If any question arises whether an obligation rests on an employer or whether he has discharged any such obligation, the Act provides that the question may be reported to the Minister of Labour and National Service by the appropriate employers' organisation or Trade Union. If suitable agreed machinery for settling the question already exists, the Minister must refer the question to that machinery. If it does not exist, the Minister must take such other steps as appear to him expedient for settling the question. If a question is not settled by these means or if a settlement is unlikely within a reasonable time, the Minister must refer it to a tribunal for compulsory arbitration.

23. Other provisions of the Act deal with the setting up of arbitration tribunals and the definition of their powers and duties in legal proceedings in respect of a default in complying with an award of a tribunal; and the position of undertakings carried on by the Crown and Local Authorities.



## REGULATIONS 1A AND 1AA, DEFENCE (GENERAL) REGULATIONS, 1939.

24. On 17th April, 1944, an Order in Council (S.R. & O. 1944, No. 461) was made extending the existing statutory powers in relation to strikes or lock-outs which interfere with essential services. The additional powers apply irrespective of whether the stoppage of work is itself illegal or whether the cause of the stoppage comes within the definition of "trade dispute" contained in the Conditions of Employment and National Arbitration Order, 1940.

25. The first part of the Order No. 461 amended Defence Regulation 1A. Under this Regulation it is an offence to do any act having reasonable cause to believe that it will be likely to prevent or interfere with the carrying on of their work by persons engaged in the performance of essential services; but there was a proviso which stated that a person would not be guilty of an offence only by reason of his taking part in or peacefully persuading any other person to take part in a strike. Under the amended Regulation this proviso reads as follows:—

"Provided that no person shall be deemed to have committed an offence against this Regulation by reason only of his having, in the course of a strike, ceased to work or refused to continue to work or to accept employment."

26. The second part of the Order contains a new Regulation 1AA which provides that "no person shall declare, instigate or incite any other person to take part in, or shall otherwise act in furtherance of, any strike among persons engaged in the performance of essential services or any lock-out of persons so engaged." There are two provisos to this Regulation. The provisos provide that no person shall be deemed to have committed an offence against this Regulation by reason only of (a) ceasing work or refusing to continue to work or to accept employment or (b) any act done at a properly constituted trade union meeting. The text of the Order is set out in Appendix V.

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### Section VII

## FAIR WAGES RESOLUTIONS OF THE HOUSE OF COMMONS AND ACTS EMBODYING THE PRINCIPLE LAID DOWN IN THESE RESOLUTIONS

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### Fair Wages Resolution of 1891.

1. The original Fair Wages Resolution was passed by the House of Commons on 13th February, 1891, and was in the following terms:—

"That in the opinion of this House, it is the duty of the Government in all Government contracts to make provision



against the evils recently disclosed before the Sweating Committee, to insert such conditions as may prevent the abuses arising from sub-letting, and to make every effort to secure the payment of such wages as are generally accepted as current in each trade for competent workmen."

The Resolution was therefore directed to three points:—(1) the prevention of evils disclosed by the Sweating Committee, (2) the prevention of abuses arising from sub-letting, and (3) the payment of "current" rates of wages. The object was to protect contractors against under-cutting by bad employers and to ensure that workpeople employed on Government contract work received wages not less favourable than those paid by good employers in the trade.

2. There appears to have been no uniformity in the application of the Resolution to contracts entered into by Government Contracting Departments or in the methods by which the requirements were enforced, and in August, 1907, the Treasury appointed a Committee, consisting of representatives of the various Contracting Departments, presided over by Sir George Murray (then Secretary to the Treasury) to consider the position. The main conclusion of the Committee was that the wording of the Fair Wages Clause in Government contracts, which obliged the contractor to pay current rates of wages to competent workmen in the district where the work was carried out, should be retained. The Committee also made recommendations as to the exhibition of notices; the publication of names and addresses of firms obtaining Government contracts; that all clauses in contracts affecting the same trades should be uniform among all Departments; and for the setting up of a committee of representatives of the different Contracting Departments to ensure co-ordination.

### **Fair Wages Resolution of 1909.**

3. On 10th March, 1909, Mr. Sidney Buxton, the Postmaster-General, moved a new Resolution, based on the Murray Committee's recommendation, which was adopted by the House. The Resolution was as follows:—

"That, in the opinion of this House, the Fair Wages Clause in Government contracts should be so amended as to provide as follows:—The Contractor shall, under a penalty of a fine or otherwise, pay rates of wages and observe hours of labour not less favourable than those commonly recognised by employers and trade societies (or in the absence of such recognised wages and hours, those which in practice prevail amongst good employers) in the trade in the district where the work is carried out. Where there are no such wages and hours recognised or prevailing in the district, those recognised or prevailing in the nearest district in which the general industrial circumstances are similar shall be adopted. Further, the conditions of employment generally accepted in the district in the trade concerned shall be taken into account in considering how far the terms of the Fair Wages



Clauses are being observed. The Contractor shall be prohibited from transferring or assigning directly, or indirectly, to any person or persons whatever any portion of his contract without the written permission of the Department. Sub-letting other than that which may be customary in the trade concerned, shall be prohibited. The Contractor shall be responsible for the observance of the Fair Wages Clauses by the sub-contractor."

In moving the Resolution Mr. Buxton referred to words which he had used in moving the original Resolution, when he said: "... no-one proposes that the Government should fix the rate of wages. All that is asked is that the Government should accept as Fair Wages those rates of wages which prevail in any particular trade; the rate that has been fixed by negotiation between employers and workmen."

#### **Fair Wages Advisory Committee.**

4. Following the passing of the Resolution, the Treasury appointed, on 22nd June, 1909, an Advisory Committee on the Fair Wages Clauses of Government Contracts, the members of the Committee being officers of the principal Contracting Departments. The functions of the Committee were to advise the Government Department dealing with contractors as to the form of clauses in contracts by which the Resolution of the House of Commons of 10th March, 1909, could best be carried into effect, and as to the methods of securing observance of such clauses, and generally to make such recommendations as might be deemed advisable to promote uniformity of administration and co-operation between Departments in dealing with the question of payment of fair wages by Government contractors. It was made clear from the start that the Committee was not in any sense an arbitration tribunal, that it was entirely within the discretion of a contracting Department to invite the advice of the Committee, and that the final responsibility in any particular case rested with the Department concerned. The administration of the Fair Wages Clauses was therefore a matter for the Contracting Department concerned, subject to any advice that from time to time might be invited from and offered by the Fair Wages Advisory Committee.

The Committee subsequently recommended a common form of Fair Wages Clause to be used as far as possible by all Government Departments. The main Clause placed upon contractors an obligation to observe rates of wages and hours of labour in accordance with the terms of the Resolution, but owing to legal difficulties omitted the words "under a penalty of a fine or otherwise". The Committee also recommended that the case of contracts which are not entered into by a Government Department, but which involve the expenditure of public money or some other consideration granted by a Government Department, the Department concerned should require the insertion in such contracts of Fair Wages Clauses as recommended, with such modifications as might be necessary in particular cases.



### Extended Application of Fair Wages Resolution.

5. The Fair Wages Resolution of the House of Commons was concerned only with Government contracts but the principle of the Resolution has in course of time been widely extended. Although it has not been applied compulsorily to the contracts of Local Authorities, they were recommended by the Government to adopt the policy followed in the case of Government contracts, and it may be assumed that the Standing Orders of the majority of Local Authorities in Great Britain now provide for the inclusion of a Fair Wages Clause in contracts, although it is known that many Local Authorities have their own form of Clause which differs in some respects from the Clause used in Government contracts.

The principle of the Resolution has also been embodied in a large number of Acts which provide assistance to industries or Public Authorities by way of grant, loan, subsidy, guarantee or licence. The following Acts may be given as examples:—

(1) *British Sugar (Subsidy) Act, 1925*—to provide for the payment of a subsidy in respect of sugar and molasses manufactured in Great Britain during the period of ten years from 1st October, 1924, from beet grown in Great Britain.

(2) *Sugar Industry (Reorganisation) Act, 1936*—to provide for the reorganisation of, and financial assistance to the sugar industry.

(3) *Road Traffic Act, 1930*—to make provision for (a) the regulation of traffic on roads, (b) the protection of third parties against risks arising out of the use of motor vehicles: to amend the law with respect to the power of Local Authorities to provide public service vehicles.

(4) *Road and Rail Traffic Act, 1933*—to make provision for regulating the carriage of goods on roads by motor vehicles; etc.

(5) *London Passenger Transport (Agreement) Act, 1935*—to authorise the Treasury to guarantee securities in accordance with an agreement regarding a scheme of works.

(6) *Railways (Agreement) Act, 1935*—to authorise the Treasury to guarantee securities in accordance with an agreement regarding a scheme of works.

(7) *Air Navigation Act, 1936*—to amend the law with respect to aviation.

(8) *Bacon Industry Act, 1938*—to provide for the better organisation of the bacon industry and the pig producing industry and to provide for payments out of and into the Exchequer.

(9) *Cinematograph Films Act, 1938*—to make further provision for securing the renting and exhibition of a certain proportion of British cinematograph films; to make provision as to the wages and conditions of employment of persons employed by makers of cinematograph films.

The normal practice is to require that the wages and conditions of employment of persons employed under the provisions of the Act shall not be less favourable than the wages and conditions which



would have to be observed under a contract which complied with the requirements of any Resolution of the House of Commons for the time being in force applicable to the contracts of Government Departments.

### **Proposed Amendment of Fair Wages Resolution of 1909.**

6. Following representations as to the need for amendment of the Resolution in the light of changed circumstances, particularly the wide extension of collective agreements arrived at by joint negotiating machinery, the Government decided in 1937 that a further review of the position by a committee was necessary. This committee had not completed its inquiry when war broke out, but as a result of discussions which had been initiated following the appointment of the committee, an Agreement was reached in 1942 between the British Employers' Confederation and the Trades Union Congress and the Government on the draft of a new Resolution.

At that date the Conditions of Employment and National Arbitration Order, 1940, was in operation as a war measure and the obligations of Government contractors with regard to wages and conditions of employment were to a large extent determined by that Order. There was accordingly no immediate need to amend the existing Resolution and it was agreed that the submission of a new Fair Wages Resolution to the House of Commons should be allowed to stand over until the end of the war, which would provide opportunity for considering any further changes that might be necessary in the light of developments with regard to the enforcement of industrial agreements. The Government accepted, however, the view of the Trades Union Congress General Council and the British Employers' Confederation that a statement should be issued of the intention to submit to Parliament at the end of the war a new Resolution and this statement was made in the form of a White Paper published in 1942 (Cmd. 6399). The most important changes included in the draft Resolution as set out in this White Paper may be summarised as follows:—

(1) The standard of fair wages is no longer to be solely the practice of "good employers" in the district. The employer is required to observe such conditions as have been established for the trade or industry in the district by representative joint machinery of negotiation or by arbitration.

(2) The contractor is required to observe "fair" conditions of labour as well as "fair" wages and to apply them to all persons employed by him in every factory, workshop or place where the contract is being executed. Contracting Departments will require an assurance from a new contractor that to the best of his knowledge and belief he has complied with the general conditions of the Resolution for at least the previous three months.

(3) Under the old Resolution the Minister of the Contracting Department had, if called upon, to decide whether or not fair wages were being paid. Under the new Resolution any such



questions will be reported to the Ministry of Labour and National Service and if not disposed of by negotiation, will be referred to arbitration.

(4) The contractor is required to recognise the freedom of his workpeople to be members of Trade Unions.

The following is the text of the new draft Fair Wages Resolution:—

“ 1. (a) The contractor shall pay rates of wages and observe hours and conditions of labour not less favourable than those established for the trade or industry in the district where the work is carried out by machinery of negotiation or arbitration to which the parties are organisations of employers and trade unions representative respectively of substantial proportions of the employers and workers engaged in the trade or industry in the district.

“ (b) In the absence of any rates of wages, hours or conditions of labour so established the contractor shall pay rates of wages and observe hours and conditions of labour which are not less favourable than the general level of wages, hours and conditions observed by other employers whose general circumstances in the trade or industry in which the contractor is engaged are similar.

“ 2. The contractor shall in respect of all persons employed by him (whether in execution of the contract or otherwise) in every factory, workshop or place occupied or used by him for the execution of the contract comply with the general conditions required by this Resolution. Before a contractor is placed upon a department's list of firms to be invited to tender, the department shall obtain from him an assurance that to the best of his knowledge and belief he has complied with the general conditions required by this Resolution for at least the previous three months.

“ 3. In the event of any question arising as to whether the requirements of this Resolution are being observed, the question shall, if not otherwise disposed of, be referred by the Minister of Labour and National Service to an independent Tribunal for decision.

“ 4. The contractor shall recognise the freedom of his workpeople to be members of Trade Unions.

“ 5. The contractor shall at all times during the continuance of a contract display, for the information of his workpeople, in every factory, workshop or place occupied or used by him for the execution of the contract a copy of this Resolution.

“ 6. The contractor shall be responsible for the observance of this Resolution by sub-contractors employed in the execution of the contract, and shall if required notify the department of the names and addresses of all such sub-contractors.”

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## Section VIII

## STATUTORY WAGE REGULATION

1. Although terms and conditions of employment in Great Britain are for the most part settled by collective agreements reached by voluntary methods without State intervention, various forms of statutory regulation of wages have been introduced for certain trades or industries to ensure adequate standards being observed in the trade or industry as a whole. Such measures of State control have mainly been found necessary in trades or industries where organisation is inadequate on one or both sides. This not infrequently occurs where the industry includes a large number of small units. In some cases regulation has been introduced to meet difficulties caused by the competition of a substantial unorganised section of an industry which provides terms and conditions less favourable than those agreed upon between organised employers and workers.

2. The principal Acts dealing with the regulation of wages are as follows :—

(1) *The Trade Boards Acts, of 1909 and 1918*, empowered the Minister of Labour to constitute Trade Boards, whose main duty is to fix minimum rates of wages. They may fix different rates for different classes of time and piece workers and for different districts. Trade Boards may be established where the Minister "is of opinion that no adequate machinery exists for the effective regulation of wages throughout the trade, and that accordingly, having regard to the rate of wages prevailing in the trade, or any part of the trade, it is expedient that the [Trade Boards] Act should apply to that trade."

(2) *The Coal Mines (Minimum Wage) Act, 1912*, provided for minimum time rates for all grades of underground workers. In practice, the rates fixed by collective agreements have in most cases been higher than those fixed under the Act, and it has, to a large extent, no operative effect.

(3) *The Agricultural Wages (Regulation) Acts, 1924, 1937 and 1940*, were originally introduced because organisation in this industry on the workers' side was weak, and low standards of wages commonly prevailed.

(4) *The Cotton Manufacturing Industry (Temporary Provisions) Act, 1934*, was designed to secure the observance of voluntary agreements reached by organised sections of the cotton manufacturing industry in face of competition from unorganised sections operating lower standards.

(5) *The Road Haulage Wages Act, 1938*, substituted statutory regulation of wages by means of joint boards for a voluntary system which had broken down owing to lack of sufficient



organisation on both sides and had failed to prevent uneconomic price-cutting based in certain cases on the payment of exceptionally low wages.

(6) *The Catering Wages Act, 1943*, provided for the setting up of a Catering Wages Commission to examine existing methods of regulating the remuneration and conditions of employment of workers in all sections of the industry. The Commission may recommend the establishment of a Wages Board to make proposals for fixing remuneration, including holiday remuneration, in respect of any section of the industry where existing methods are considered to be inadequate and cannot be suitably improved.

*Note.*—Under the Holidays with Pay Act, 1938, additional powers were given to Trade Boards, Agricultural Wages Committees and the Road Haulage Central Wages Board to fix minimum rates of wages in respect of holidays provided for by these authorities under this Act. (See Section IX of this Handbook.)

3. While the Trade Boards Acts are in the nature of general legislation, the other Acts mentioned above are concerned with particular trades or industries and were framed to meet the particular circumstances and difficulties of the trade or industry concerned. Also, the later Acts give wider powers to the wage fixing bodies than were provided in the Trade Boards Acts.

A distinctive feature of all legislation for the control of wages and working conditions is that the wage fixing authority in all cases includes representatives of the employers and workers in the trade concerned, and the basic idea of self-government in industry is retained, subject only to the safeguards necessary when mandatory powers are exercised.

The arrangements for the regulation of wages in the Cotton Manufacturing Industry differ fundamentally from those in the other industries mentioned above. No provision is made for the determination of wages by a statutory Board with independent members. The Act enabled statutory effect to be given throughout the weaving section of the cotton industry to rates of wages agreed between the representative voluntary organisations concerned. This piece of legislation was regarded as experimental, although the general principle involved was recommended in 1913 by the Industrial Council appointed by the Board of Trade.

4. In addition to their wage fixing powers, statutory Boards have certain general powers to consider matters other than wages which are of joint interest to employers and workers. Thus, under the Act of 1918, Trade Boards may make recommendations to any Government Department with reference to the industrial conditions of the trade.

The Road Haulage Central Wages Board has power to make or assist in making arrangements for the settlement of disputes or differences between certain road haulage workers and their employers, and to promote the voluntary organisation of such



employers and workers. This Board may also make recommendations to any Government Department with respect to safety on the roads, the health and comfort of the workers and any other matter affecting the efficiency of, and conditions of work in connection with, the transport of goods by vehicles operating under A and B Licences.

Similarly, any Wages Board established under the Catering Wages Act has power to make proposals for fixing intervals for meals or rest and to consider any matter affecting the remuneration, conditions of employment, health or welfare of the workers in relation to whom the Board operates, or affecting the general improvement and development of the part of the industry concerned.

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## (1) TRADE BOARDS ACTS, 1909 and 1918.

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### HISTORICAL.

5. During the years 1885 to 1909 much public attention was directed to the question of "sweated trades," and it was contended that in certain trades wages were paid which were not reasonable and on which no person could be expected to subsist. In 1890 a Select Committee of the House of Lords confirmed many of the allegations as to the "sweating" of workers in a number of industries, including Tailoring, Shirtmaking, Bootmaking, Chain and Nail Making and the Cutlery and Hardware Trades. The Committee recommended amendments of the Factories and Public Health Acts with a view to securing better inspection and the registration of outworkers.

This was followed by widespread public agitation for the suppression of sweating, and from 1900 onwards repeated efforts were made by a group of Members of Parliament to persuade the House to accept a Private Bill to deal with the matter. In 1906, an Anti-Sweating League was formed which intensified the campaign for legislation, and in the same year an inquiry was undertaken by the Board of Trade which showed that the rates of wages in a number of industries, such as the Tailoring, Jute and Linen Trades, were extremely low.

6. In 1908, a Select Committee of the House of Commons on Home Work recommended that the general principle should be adopted of establishing Wages Boards to fix minimum time rates and piece rates for homeworkers, and that it should be an offence to pay or offer lower rates; but, realising that this proposal represented a new departure in industrial legislation and was surrounded by many difficulties, they recommended that Parliament should proceed at first experimentally and should apply the



principle to a few trades only in which the need for legislation was great. Experience could thus be gained without running the risk of dislocating any important industry.

### **Trade Boards Act, 1909.**

7. The report referred to above led to the passing of the Trade Boards Act, 1909, which provided for the setting up of Trade Boards for certain trades, with powers to fix minimum wages for timework and piecework in those trades. This Act originally applied to four trades only, *viz.*, Ready-made and Wholesale Bespoke Tailoring, Paper Box Making, Machine-made Lace and Net Finishing, and Chain Making; but the Board of Trade were authorised to apply the Act to other trades by Provisional Order subject to confirmation by Parliament, if they were satisfied that the rate of wages prevailing in any branch of the trade was "exceptionally low as compared with that in other employments." Four trades, *viz.*, Sugar Confectionery and Food Preserving, Shirtmaking, Hollow-Ware Making and Linen and Cotton Embroidery, were added by this procedure. The administration of the Trade Boards Act, 1909, was transferred to the Ministry of Labour when that Department was set up in 1917.

### **Trade Boards Act, 1918.**

8. In 1917, the Committee on Relations between Employers and Employed, over which Mr. J. H. Whitley, M.P., presided, recommended in its Second Report that in those industries in which there existed little or no organisation, the machinery of the Trade Boards Act should be applied "pending the development of such degree of organisation as would render possible the establishment of a National [Joint Industrial] Council or District Councils." Following this recommendation, the Trade Boards Act, 1918, was passed.

Under this Act most of the fundamental principles of the Act of 1909 remained unchanged, but the Minister of Labour was authorised to make a Special Order in respect of any trade if he was "of opinion that no adequate machinery exists for the effective regulation of wages throughout the trade and that accordingly, having regard to the rates of wages prevailing in the trade or any part of the trade, it is expedient that the principal Act should apply to that trade." The procedure of establishing Trade Boards by Special Order was substituted for the previous procedure by Provisional Order in order to speed up the machinery. Before the Minister can make such a Special Order, he must give public notice of his intention to do so, and in the event of objections being made which are not met or withdrawn there must be a public inquiry at which objectors and other persons interested are entitled to be heard. There were other amendments directed to improvements suggested by experience, including wider rate-fixing powers for the Boards.



### Later developments.

9. A National Industrial Conference which was summoned by the Prime Minister in 1919 recommended that "Trade Boards should be established forthwith in the various less organised trades where they do not already exist." During 1919, 1920 and 1921, no less than 37 new Trade Boards were set up in Great Britain.

Towards the end of 1920 the trade depression set in and the fixing by Trade Boards of minimum rates became a subject of controversy. It was then decided to proceed with caution in the establishment of new Boards. In September, 1921, a Committee under the Chairmanship of Lord Cave was appointed to inquire into the working and effects of the Trade Boards Acts. The Committee reported in April, 1922, that the Trade Boards system had had beneficial effects and had succeeded in abolishing the grosser forms of underpayment, but they recommended certain changes which they considered would remedy faults in the system. A Bill embodying substantially the Committee's recommendations was introduced in May, 1923, but was not proceeded with.

10. Comparatively few new Trade Boards have been established since the early 1920's. The number of Boards in June, 1944, was 52, of which 40 cover Great Britain, 6 operate only in England and Wales, and 6 only in Scotland. A list of these Trade Boards is set out in Appendix VI.

It is estimated that in September, 1939, 1,200,000 workers were employed in trades covered by the Trade Boards Acts. Later figures are not available.

## CONSTITUTION AND FUNCTIONS OF TRADE BOARDS.

### Constitution.

11. A Trade Board consists of members representing employers and members representing workers in equal numbers, together with three independent persons known as "Appointed Members," one of whom acts as Chairman. Women equally with men are eligible for appointment as representative members, and in the case of all Trade Boards for trades in which women are largely employed, it is necessary for at least one of the Appointed Members to be a woman. When a Trade Board is constituted the representative members are selected with a view to giving representation as far as possible to—

- (1) each distinct section or branch of the trade ;
- (2) all the main classes and grades of employers and workers in the trade ; and
- (3) the principal districts or centres in which the trade is carried on.

The Acts require the direct representation of homeworkers in any trade in which a considerable proportion of such workers is employed.

All Trade Board appointments are personal appointments, and are made by the Minister of Labour and National Service. No seats are allocated for the purpose of giving representation to associations of employers or of workers as such, but it is the practice to appoint



persons suggested by such associations so far as they satisfy the above-mentioned requirements. The number of representative members varies considerably, ranging from 50 (25 a side) in the case of the Milk Distributive Trade Board for England and Wales, to 8 (4 a side) in the case of the Rubber Reclamation Trade Board for Great Britain. Members of Trade Boards normally hold office for a period of two years, but their appointments may be renewed so long as they continue to represent interests in the trade.

### Functions of Trade Boards.

12. Trade Boards *must* fix a minimum rate or minimum rates of wages for time work. Where no other rate has been fixed, pieceworkers must be paid at rates sufficient to yield, in the circumstances of the case, to an ordinary worker at least as much money as the minimum time rate. Boards *may* also fix other minimum rates as follows :—

(1) *General minimum piece rates*, that is, minimum rates for piecework ;

(2) *Special minimum piece rates*, that is, minimum rates for piecework which may be fixed at the request of an employer for workers in his employ engaged on work to which a minimum time rate but no general minimum piece rate is applicable ;

(3) *A guaranteed time rate*, that is, a rate per hour which will ensure a minimum amount to pieceworkers for the time during which they have been employed, if their piecework earnings fall short of the guaranteed rate ;

(4) *A piecework basis time rate*, that is, a rate which takes the place of the general minimum time rate as the basis rate for pieceworkers for whom no general or special minimum piece rate has been fixed. In the absence of a general or special minimum piece rate, pieceworkers must be paid at a piece rate that is sufficient to yield in the circumstances of the case to an ordinary worker at least as much money as the basis rate ;

(5) *Overtime rates*, that is, rates either for timework or for piecework performed during overtime. For this purpose the Board has power to declare the normal number of working hours per week, or on any day, in the trade.

In the case of all these various kinds of rates, a Board can fix different rates for different classes of workers or for different districts. In particular, it can fix special rates for learners and make payment of these subject to the observance of conditions which it considers necessary for securing effective instruction. Rates may be fixed to operate for a certain time only, or to increase or diminish on the expiration of specified periods. It will be seen, therefore, that a Board could, if it thought fit, fix appropriate minimum rates of wages for each class of worker in its trade, but it may if it chooses fix one general minimum time rate only and leave higher rates to be settled between the employers and workpeople concerned.



13. As a consequence of the passing of the Holidays with Pay Act, 1938, a Trade Board may also direct that any worker for whom a minimum rate of wages has been fixed by the Board shall be entitled to be allowed by his employer a holiday with pay of not more than one working week in any year. This subject is dealt with more fully in Section IX.

14. A Trade Board has power in the case of time workers (if they cannot suitably be put on piecework) to issue permits of exemption specifying the conditions under which in any particular case it is prepared to allow an injured or infirm worker to be employed at less than the minimum time rate.

No permits are necessary or can be granted in the case of workers employed on piecework, except in a case where a Trade Board has fixed a guaranteed time rate for pieceworkers. In such cases the Board may grant exemption if an injured or infirm worker is incapable of earning the guaranteed rate.

15. A Trade Board may set up in any district a District Trade Committee, to assist it in its work in that district by recommending what minimum rate should be fixed and by reporting on the Board's proposals, and otherwise acting in an advisory capacity. Such Committees consist of an equal number of employers and workpeople, some of whom are members of the Board and the remainder representative of the employers and workers in the district. There is also at least one "Appointed Member" on each Committee. The Trade Board decides what Committees shall be set up and for what districts they shall act, but the members of the Committees other than Trade Board Members are appointed by the Minister.

16. Trade Boards are given power to make representations to any Government Department on matters relating to the industrial conditions in the trade, and the Department is required to give consideration to their views. In this way Boards can deal with many general questions affecting the industry in which they are engaged.

### **Procedure for Fixing Rates.**

17. When a Trade Board proposes to fix or vary a rate of wages it must insert a Notice of the proposal in the "London Gazette" and, in the case of proposals affecting Scotland, in the "Edinburgh Gazette", and send a Notice to every employer in the trade whose name and address are known. Every such employer is required to exhibit a copy of the Notice in his works or place of business or in the place where work is given out, so that it may be read by his workpeople. Two months are allowed in which either employers or workpeople may object to the proposal. If, after considering any objections received, the Board decides to fix or vary the rate, it informs the Minister accordingly, and, unless for some special reason he thinks that the Board should reconsider its decision, he makes an Order, normally within one month, confirming the rate or the variation and stating the day on which it is to come



into force. Thus, a new rate can come into operation in about three months after the Board reaches a decision upon a proposal to fix it.

When a rate has been fixed and confirmed by the Minister, the Trade Board sends Notices to every employer in the trade whose name and address are known and, in addition, endeavours by publication in trade journals and in the Press to ensure that all employers are informed.

18. To meet war conditions, the general procedure set out above has been subject to certain temporary modifications made by Regulations under the provisions of the Trade Boards and Road Haulage Wages (Temporary Provisions) Act, 1940. The principal of these modifications are that the objection period may be reduced to fourteen days and that, in the absence of objections, proposals may be submitted to the Minister for confirmation without consideration by the Board at a second meeting. The procedure and war-time modifications of procedure also apply to directions by Trade Boards under the Holidays with Pay Act, 1938, and to the fixing of minimum rates of holiday pay.

## PAYMENT AND ENFORCEMENT OF RATES.

### Payment of Rates.

19. Every employer in the trade must, on receipt of the Trade Board's Notice giving particulars of the rate, exhibit it in his factory or workshop, or in the place where work is given out, and he is required to pay wages at not less than the minimum to any worker who performs any work for which a minimum rate is in force (subject to any exemption as described in paragraph 14 above). The following points may be noted :

(1) *Deductions*—Minimum rates must be paid in full, free of all deductions except those under the National Insurance Acts, deductions for a superannuation or provident fund authorised by Act of Parliament, or for Income Tax. Deductions which would otherwise be legal under the Truck Acts, may not be made from wages paid at a minimum rate.

(2) *Waiting Time*—A worker employed on work for which a minimum rate has been fixed must be paid at that rate for any time during which he was waiting for work on the employer's premises, unless he was there without the employer's consent express or implied, or for some purpose unconnected with his work.

### Enforcement of Rates.

20. The employer is required by law to keep such records of hours worked and wages paid as are necessary to show that workers are paid at not less than the appropriate rate. Any employer who pays wages at less than the appropriate minimum rate to any worker is liable to a fine of £20 for each offence, and to a further fine of £5 for each day after his conviction in respect of which he fails to pay the legal rate. The Court may also order him to pay the arrears of wages due to the worker. The Ministry of Labour and National Service has Inspectors whose duty it is to ensure that not less than the legal rate is paid.



21. Prior to the outbreak of war in 1939, Trade Board Inspection was organised to cover approximately 100 per cent. of the establishments in the various trades within the scope of the Acts, during each period of five years.

The following is a summary, in round figures, of the results of the inspections made during the two five year cycles 1930 to 1934 and 1935 to 1939.

Number of workers whose wages were examined	Number underpaid	Amount of arrears recovered for workers through the Department
1930-34—1,040,000 ... ..	31,500	£138,000
1935-39—1,100,000 ... ..	32,500	£126,000

Convictions against employers in respect of 206 establishments were given in the Courts for infringement of the Acts during 1930 to 1934 and in respect of 83 establishments during 1935 to 1939.

During the subsequent 4 years, 1940-43, the wages of a further 580,000 workers were examined, for 30,000 of whom £123,000 arrears of wages were recovered.

## (2) ROAD HAULAGE WAGES ACT, 1938.

### HISTORICAL.

#### Royal Commission on Transport, 1930

1. The Royal Commission on Transport, 1930, was appointed to take into consideration the problems arising out of the growth of road transport. The Commission recommended, *inter alia*, "that road hauliers should be placed under a system of licensing to be administered by the Area Traffic Commissioners".

In making this recommendation, the Commission had in mind that the competing branches of transport—railways, inland waterways and shipping—were all organised and were bound by statutes, agreements, and practices, whereas the goods branch of the road transport industry "is in a condition which lacks all unity and is operated by a number of independent firms and individuals who, while endeavouring to compete with other forms of transport, are at the same time engaged in bitter and uneconomic strife with each other in their own particular branch". The Commission believed that it would be greatly to the advantage of the Road Haulage Industry if it were placed on an organised basis which would enable it to be co-ordinated with other forms of transport, and that to bring about such organisation a system of licensing was necessary.

2. The Commission further stated that wages and conditions of service in many firms left much to be desired, and it recommended the application of a Fair Wages Clause, based on the Fair Wages Resolution of the House of Commons, to persons employed in connection with the licensed vehicles of road hauliers. It also considered that Traffic Commissioners should have regard to the fitness of the vehicles.



### Conference on Rail and Road Transport, 1932.

3. The problem of establishing a fair basis of competition and division of function between rail and road transport of goods was further considered by a Conference on Rail and Road Transport appointed by the Minister of Transport in 1932 under the chairmanship of Sir Arthur Salter. This Conference, among other recommendations, supported the view of the Royal Commission of 1930 that there should be a system of licensing for goods motor vehicles used on public highways, and that licences should be conditional upon the payment of reasonable wages and the observance of proper conditions of service and on the maintenance of the vehicles in a proper condition of fitness.

### Road and Rail Traffic Act, 1933.

4. As a result of consideration of the reports of the Royal Commission on Transport and of the Salter Conference, the Government reached the conclusion that, for the regulation of road traffic, a licensing scheme was necessary, and that a fair basis of competition could not be established without removing unfair competition based on unfair wages. It also considered that a "fair wage" requirement was necessary,

- (1) in the interests of those hauliers who were struggling to maintain satisfactory wage rates,
- (2) in justice to the workers, and
- (3) as a contribution towards ensuring safety on the roads.

5. Accordingly, under the Road and Rail Traffic Act, 1933, provision was made for all motor vehicles used for the carriage of goods on the road to be licensed according to the following classes :

- (1) an "A Licence" or public carrier's licence, which entitles the holder to use the authorised vehicles for the carriage of goods for hire or reward ;
- (2) a "B Licence" or limited carrier's licence, which entitles the holder to use the authorised vehicles for the carriage of goods either for hire or reward or in connection with any trade or business carried on by him ; or
- (3) a "C Licence" or private carrier's licence, which entitles the holder to use the authorised vehicles for the carriage of goods only in connection with any trade or business carried on by him.

All licences were made conditional on the vehicles being maintained in fit condition ; and on driving hours being limited in the interest of public safety.

6. The payment of fair wages was made a condition of A and B Licences. Provision was made for complaints about the payment of unfair wages by A or B Licence holders to be submitted to the Traffic Commissioners for the area, and for any dispute not otherwise disposed of to be referred by the Minister of Labour to the Industrial Court for settlement. Apart from the latter provision the Act is



administered by the Ministry of War Transport. There were no provisions in the Act regarding the wages to be paid by C Licence holders.

### **Later developments leading to the Road Haulage Wages Act 1938.**

7. In 1934, with the encouragement and assistance of the Government, collective bargaining machinery was set up, consisting of ten Area Conciliation Boards, a National Conciliation Board for England and Wales and a separate Conciliation Board for Scotland. These Boards produced elaborate agreements concerning wages and working conditions, but the agreements in practice proved ineffective in the face of widespread disregard of their provisions, and the fact that only one quarter of the A and B Licence holders were organised.

8. There was general dissatisfaction with the results of the operation of the existing legislation in its relation to the settlement of wages and working conditions, and the voluntary Conciliation Board requested the Ministers concerned to undertake legislation to give more effective force to its decisions, and also to subject C Licence holders to the same degree of regulation as A and B Licence holders.

9. In these circumstances, a Committee under the chairmanship of Sir James Baillie was set up in 1936 jointly by the Minister of Labour and the Minister of Transport to examine the position and to make recommendations. The Committee reported in April, 1937, and its recommendations were, with certain modifications, embodied in the Road Haulage Wages Act, 1938, which is administered by the Minister of Labour and National Service.

### **SCOPE OF THE ROAD HAULAGE WAGES ACT, 1938.**

10. The work to which the Road Haulage Wages Act applies is road haulage work in connection with any mechanically driven goods vehicle for which an A, B or C Licence is required under the Road and Rail Traffic Act, 1933.

11. The workers covered by the Act are described as road haulage workers. They are workers who are employed on all or any of the following work :—

- (1) driving or assisting in the driving or control of a goods vehicle ;
  - (2) collecting or loading goods to be carried in or on the vehicle ;
  - (3) attending to goods while so carried ;
  - (4) unloading or delivering goods after being so carried ;
  - (5) acting as attendant to the vehicle ;
- and who are required to travel on or accompany the vehicle for the purpose of doing any such work.

If, however, a person is employed on loading goods to be carried on a vehicle or in unloading goods after being so carried and he is required to travel on the vehicle partly for that purpose, he is not



to be deemed to be a road haulage worker by reason only of that employment if the main purpose for which he is required to travel on or accompany the vehicle is to do work other than road haulage work after its arrival at his destination.

Time spent by a road haulage worker in doing work incidental to road haulage work, or in travelling on or accompanying a goods vehicle in connection with his work, or in waiting in connection with road haulage work under the orders or at the disposal of his employer, or in waiting in accordance with the instructions of his employer as a necessary consequence of his employment on such work, is covered by the provisions of the Act.

12. The provisions of the Act do *not* apply to work for which a minimum rate of wages has been fixed by or under any other enactment, or to the work of persons employed by railway companies in connection with A or B licensed vehicles whose remuneration falls to be determined by machinery established by agreement between the companies and the railway Trade Unions.

13. Under the Emergency Provisions (Miscellaneous) Regulations dated 19th March, 1940 (S.R. & O. 1940, No. 438), which were made by virtue of powers under the Trade Boards and Road Haulage Wages (Temporary Provisions) Act, 1940, the scope of the Road Haulage Wages Act has been extended. Part I of the Act, under which the Road Haulage Central Wages Board was instituted, now covers, in addition to road haulage work performed by road haulage workers in connection with vehicles operating under A or B Licences, road haulage work in connection with vehicles operating under A or B defence permits granted by the Regional Transport Commissioners. The extension of the scope does not apply to any vehicles which are not authorised to be used for hire or reward.

## PART I.—A AND B LICENSED VEHICLES.

### Constitution of Road Haulage Central Wages Board and Area Boards.

14. For the purpose of regulating the remuneration of road haulage workers employed in connection with A and B licensed vehicles, provision is made in the Act for the establishment of a Central Wages Board for Great Britain, a Scottish Area Board and Area Boards in England and Wales for each of the ten existing Traffic Areas.

The Area Boards are composed of equal numbers of representatives of the employers and workers in the respective Areas, appointed by the Minister of Labour and National Service after consultation with organisations appearing to him to represent such employers and workers respectively.

The Central Board consists of

(1) twenty-four representative members (comprising one member from each side of each Area Board in England and Wales and two members from each side of the Scottish Area Board)



appointed by the Minister after consultation with the Area Boards. Each of these twenty-four members has a substitute, similarly appointed, who may be deputed by the member to act for him in his unavoidable absence ;

(2) not less than twelve nor more than eighteen other representative members, representing employers and workers in equal proportions and appointed by the Minister after consultation with organisations representing employers and workers respectively ; and

(3) not less than three nor more than five independent members not connected with the transport of goods, of whom one is the Chairman of the Board.

### **Procedure for fixing statutory remuneration.**

15. The function of the Central Board is to submit to the Minister of Labour and National Service proposals for fixing the remuneration (including holiday remuneration) to be paid to road haulage workers in respect of road haulage work performed in connection with A or B licensed vehicles. Before submitting its proposals, the Central Board is required to transmit to every Area Board concerned a draft of the proposals ; and the Area Board is required to consider the proposals and report on them to the Central Board within twenty-eight days. After considering the reports of Area Boards, the Central Board may amend the proposals. Notice of the proposals must be given by the Central Board to all persons affected thereby ; and the Board must consider any written objections which may be made within the period fixed by the Board (which must be at least three weeks). The Board must send copies of objections to the Area Boards concerned for consideration and report, and can, after considering any such reports, amend their proposals as published. If the Board considers that any amendments it has made effect important alterations in the proposals, it must give the Area Boards an opportunity to make representations thereon.

16. After the foregoing procedure has been completed, the Central Board may submit the proposals to the Minister who is required to make an Order giving effect to the proposals unless he considers it necessary to refer the proposals back to the Board for reconsideration. If the Board on reconsideration resubmits proposals which in the Minister's view effect important alterations in the character of the proposals first submitted to him, the resubmitted proposals must be published and subjected to examination by the Area Boards in accordance with the procedure outlined above. The Scottish Board has a further power of making initial recommendations to the Central Board.

The effect of a Minister's Order is to fix the proposed remuneration which then becomes "statutory remuneration," and comes into force and is legally enforceable as between all road haulage workers for whom the remuneration is fixed and their employers. The



Central Board must give notice of the Order and of the contents thereof for the purpose of informing, so far as practicable, all persons who will be affected by it.

17. The procedure set out above for fixing or amending remuneration has been modified by Article 7 of the Road Haulage (Emergency Provisions) (Procedure) Regulations, 1940 (S.R. & O. 1940 No. 314). Under the revised provisions, the Area Boards are required to furnish a report to the Central Board upon proposals for fixing or amending remuneration within twenty-one days, and the requirement that copies of objections must be sent by the Central Board to the Area Boards concerned for consideration and report is inoperative during the emergency.

### **Other functions of the Central and Area Boards.**

18. Under the Holidays with Pay Act, 1938, the Central Board is empowered to direct that any workers for whom statutory remuneration is being or has been fixed shall be entitled to be allowed holidays of such duration as may be directed by the Board. The provisions relating to the procedure for giving directions are similar to those applicable to the proposing and fixing of statutory remuneration.

The Central Board is empowered to make recommendations to any Government Department with respect to safety on the roads, the health and comfort of road haulage workers, and any other matter affecting the efficiency of and conditions of work in connection with A and B licensed vehicles; and to consider and report on any question referred to the Board by the Minister of Labour with reference to any such matters.

The Central Board is also empowered to delegate to an Area Board any of its functions under the Road Haulage Wages Act except the power of submitting to the Minister proposals for fixing remuneration.

The Central and Area Boards are empowered to make arrangements for settling trade disputes between A and B Licence holders and their road haulage workers, and to promote the voluntary organisation of employers and workers.

## **PART II.—C LICENSED VEHICLES.**

### **Power to refer questions of unfair remuneration for settlement.**

19. Any road haulage worker employed in connection with a C licensed vehicle, or his Trade Union or a Trade Union representing a substantial number of road haulage workers, is entitled to make a complaint to the Minister of Labour and National Service that his remuneration is unfair. If such a complaint is not frivolous or vexatious, and if it is not withdrawn after the Minister has made representations to the employer, the Minister is required to refer the matter to the Industrial Court for settlement. Unless there



are special circumstances, a case must be referred for settlement within a month from the date of application. If, however, there is in existence (by agreement between organisations of employers and workers representative of substantial proportions of employers and workers in the trade or industry concerned) joint machinery for settling disputes, any complaint concerning an employer whose organisation is a party to the joint machinery must be referred to that machinery for settlement and can only be referred to the Industrial Court at the request of both sides.

20. The Act provides that remuneration cannot be deemed to be unfair if it is—

(1) equivalent to the remuneration payable in respect of corresponding work in connection with an A or B licensed vehicle and fixed by a Minister's Order made under Part I of the Act ; or

(2) in accordance with an agreement in force between a Trade Union and the particular employer concerned, or an employers' organisation of which he is a member ; or

(3) equivalent to the remuneration payable in respect of corresponding work by employers in the same trade or industry in the same district in pursuance of an agreement between a Trade Union and an organisation of employers which represents a substantial number of employers in the trade or industry ; or

(4) equivalent to the remuneration payable in respect of corresponding work by an employer in the same trade or industry in the same district in pursuance of a decision given by the Industrial Court ; or

(5) equivalent to the remuneration payable in respect of corresponding work by similar employers in the same trade or industry in the same district in pursuance of a decision of a Joint Industrial Council, Conciliation Board, or similar body.

### **Power of Industrial Court to fix statutory remuneration.**

21. If in any case referred to it under Part II of the Act, the Industrial Court finds that the remuneration paid was unfair, it is the duty of the Court to fix the remuneration to be paid.

Remuneration fixed by the Court is known as statutory remuneration ; and, in determining cases before it, the Court is required to have regard not only to the provisions summarised in paragraph 20 above but also to any collective agreements concerning the remuneration of similar workers in comparable trades or industries, and to the general level of remuneration of other classes of workers in the trade or industry to which the reference relates.

22. Statutory remuneration fixed by the Court comes into force as between the worker on whose behalf the reference to the Court was made and his employer ; and the Court is empowered to make its decision retrospective for a period not exceeding six months. Also, statutory remuneration applies to all



other workers employed by that employer on the same work Statutory remuneration remains in force (subject to review) for a period of three years from the beginning of the week following the date of the Court's decision.

23. Any road haulage worker employed in connection with a C licensed vehicle in respect of whom statutory remuneration is in force, or his Trade Union or his employer or his employer's organisation, may apply for a review of the remuneration at intervals of not less than three months.

24. In any proceedings on a reference to the Industrial Court, a right to attend and be heard is given to any organisation of employers or Trade Union which, by reason of its membership, appears to the Court to have an interest in the matter referred.

### **PART III.—GENERAL PROVISIONS CONCERNING STATUTORY REMUNERATION.**

#### **Obligations on employers.**

25. The employer of any worker in respect of whom statutory remuneration is in force is under an obligation to pay remuneration not less than the appropriate statutory remuneration. Failure to do so renders the employer liable not only to action in the civil Courts for the recovery of the deficit but also on summary conviction to a fine not exceeding £20 for each offence. On conviction, the Courts may also order the payment of arrears of wages covering the period of two years preceding the offence. Conviction may also carry with it the liability to revocation or suspension of a carrier's licence under the provisions of Section 13 of the Road and Rail Traffic Act, 1933, as though a condition of the licence had not been complied with.

Employers' agents as well as employers personally are liable to prosecution for infringement of the Act.

26. An employer is required to keep such records as are necessary to show that workers for whom statutory remuneration is in force are paid accordingly. He is also required to post such notices as may be prescribed for the purpose of informing his workers of proposed or statutory remuneration.

27. Statutory remuneration must be paid in full, clear of all deductions, except those made under the National Health or the Unemployment Insurance Acts, or deductions for a superannuation or provident fund authorised by Act of Parliament, or deductions authorised to be made under Sections 1, 2 or 3 of the Truck Act, 1896, or deductions for Income Tax. The remuneration paid to a worker must be sufficient to satisfy the foregoing requirements after allowing for any necessary expenditure by the worker in connection with his work.

28. The obligations under the Act of employers in respect of workers are not limited to cases where the ordinary relationship of employer and employee exists.



If a person who holds an A, B or C Licence or who carries on the business of a goods transport clearing house makes an arrangement by way of trade with a worker in pursuance of which the worker performs any work for which statutory remuneration would have been in force if the worker had been an employed person, then the person making the arrangement is treated as the employer of the worker for the purposes of the Act, except in the case set out below.

A person is not treated as an employer in the following circumstances :—

Where (1) the only work performed is in connection with a goods vehicle licensed under an A Licence or under a B Licence, *and*

(2) the worker holds the licence for the vehicle in connection with which the work is performed, *and*

(3) the person who makes the arrangement with the worker does not himself hold an A Licence or a B Licence or carry on a goods transport clearing house, *and* the arrangement is made only for the carriage of goods for or in connection with a trade or business carried on by that person.

It should further be noted that where the circumstances set out in (1) and (2) above obtain and the arrangement is made by way of sub-contract with the worker for the purpose of enabling the employer to execute a contract entered into by him for the transport of goods, the employer's duty to pay not less than the statutory remuneration is fulfilled if he proves that the sum paid to the worker was at least 90 per cent. of the amount payable to the employer under his contract in respect of that work.

29. Where a road haulage worker is employed on other work in addition to road haulage work, the remuneration which is attributable to road haulage work, if not apparent from the terms of the contract of service, is deemed to be an amount bearing the same relation to the total remuneration as the time spent on road haulage work bears to the whole of the time in respect of which the total remuneration is payable.

### **Effect of the Act on voluntary agreements.**

30. Under the Act it is illegal for employers in respect of whose workers statutory remuneration has been fixed, to pay to such workers less than statutory remuneration even though there may exist a contract or agreement for the payment of less than the appropriate statutory remuneration. The Act does not, however, prejudice the operation of any agreement or custom for the payment of remuneration higher than the appropriate statutory remuneration.

### **ENFORCEMENT OF RATES.**

31. Officers are appointed by the Minister of Labour and National Service for the purpose of investigating complaints and otherwise securing the proper observance of the Act. They have power to



enter any premises or place at or in connection with which there appear to be employed workers in respect of whom statutory remuneration is in force, to require the production of documents which are necessary to show that the provisions of the Act are being complied with, and to question workers and employers or their agents.

Persons obstructing officers in the exercise of their powers or refusing to comply with a requirement similarly made by an officer, render themselves liable to a penalty of £20; and any person who makes or knowingly allows to be made a false entry in a record required to be kept under the Act, or produces or furnishes or causes or knowingly allows to be produced or furnished any false record or information, is liable on conviction to a fine not exceeding £100, or to imprisonment for not more than three months or to both fine and imprisonment.

32. Since the passing of the Road Haulage Wages Act in 1938 and the setting up of the Road Haulage Central Wages Board, provision has been made for the payment of statutory remuneration to workers employed in connection with A or B licensed vehicles (i.e., those used for hire or reward). These provisions became operative on 29th January, 1940, and have been subject to variations since that date.

Since the fixing of the rates, inspection has proceeded in the Industry and the following summary shows in round figures the results of the visits paid to the establishments concerned up to 31st December, 1943:—

Number of workers whose wages were examined	Number underpaid	Amount of arrears recovered for workers through the Department
52,600	10,900	£82,300

Convictions against 10 employers were given in the Courts for infringement of the Road Haulage Wages Act during the 4 years 1940 to 1943.

### (3) AGRICULTURE.

1. The present system of regulation of wages of agricultural workers, which is very similar to the Trade Board system, was applied under an Act of 1924 to England and Wales and by a separate Act in 1937 to Scotland. In addition, the Holidays with Pay Act, 1938, enabled the wage regulating authorities to make provision for holidays and holiday remuneration for agricultural workers.

#### ENGLAND AND WALES.

##### Agricultural Wages (Regulation) Act, 1924.

2. Under the 1924 Act the Minister of Agriculture and Fisheries was required to set up in each county or group of counties an



Agricultural Wages Committee consisting of representatives in equal numbers of employers and workers, together with two impartial members appointed by the Minister and a Chairman selected by the Committee. Each Committee was required to fix minimum rates of wages in its area, which as far as practicable must be such that an able-bodied man's earnings will be "adequate to promote efficiency and to enable a man in an ordinary case to maintain himself and his family in accordance with such standard of comfort as may be reasonable in relation to the nature of his occupation".

In addition to fixing minimum rates of wages for time workers, County Committees may fix minimum rates for piecework. Any of the minimum rates may be fixed so as to apply—

- (1) univervally to all workers employed in agriculture in the county, or
- (2) to any special class of workers so employed, or
- (3) to any special area in the county, or
- (4) to any special class in a special area.

The County Committees are also empowered to exempt or fix special rates and conditions for workers affected by physical injury, mental deficiency, or infirmity due to age or other cause.

3. Under the Act a Central Agricultural Wages Board has also been established and consists of equal numbers of representatives of employers and workers, and independent members (including a Chairman) appointed by the Minister not exceeding one-quarter of the total membership of the Board.

4. The Act requires the Agricultural Wages Committees to notify to the Board their decisions fixing the minimum rates. The Board is not empowered to alter the rates as fixed by Committees but has the duty of making the necessary legal Orders putting the rates into operation. The Board itself may only fix rates in limited circumstances, *e.g.* in default of a Committee or on request by a Committee.

### **Holidays with Pay Act, 1938.**

5. By this Act the Agricultural Wages Committees are empowered to make directions requiring employers to allow workers up to 7 days holiday within a period of 12 months and to fix holiday remuneration.

### **The Agricultural Wages (Regulation) Act, 1940.**

6. This Act amended the Act of 1924 and provided that a national minimum wage shall be fixed for men by the Agricultural Wages Board after consultation with the Committees, and that the minimum rates fixed by the Committees for county areas must be such as to ensure that no man of full age employed whole time shall receive less than the national minimum wage. The Committees were also required under this Act to have regard to the national minimum wage when fixing minimum rates of wages for women and young persons.



**Order in Council, S.R. & O. 1942 No. 2404, made under  
Emergency Powers (Defence) Acts, 1939 and 1940.**

7. By this Order made in 1942 the powers of the County Agricultural Wages Committees of fixing minimum rates of wages and their powers under the Holidays with Pay Act, 1938, have been transferred to the Agricultural Wages Board for the period of the war emergency and so long as the present system of nationally fixed agricultural prices and an assured market for agricultural produce is in operation. Before fixing or varying the minimum rates the Central Board is required to consult the County Wages Committees. The Committees continue to exercise their functions of determining benefits and advantages which may be allowed in part payment of minimum rates of wages and of dealing with applications for permit of exemption from the minimum rates for infirm workers.

**Payment and Enforcement of Minimum Rates.**

8. It is an offence for an employer to pay agricultural workers at less than the minimum rates applicable to them and failure to do so renders the employer liable to a fine not exceeding £20, in addition to which the Court may order the payment of arrears of wages below the minimum rates. The Ministry of Agriculture has a staff of inspectors for the purpose of investigating complaints of non-payment of minimum rates, and otherwise securing the observance of the Act. Inspectors are empowered to require employers and workers to furnish them with information as to the wages paid.

**SCOTLAND.**

**The Agricultural Wages (Regulation) (Scotland) Act, 1937.**

9. This Act established machinery consisting of District Committees and a central Wages Board for minimum rate fixing in Scotland generally similar to that of the Act of 1924 in England and Wales. Under the Act of 1937 in Scotland the Department of Agriculture had, however, power to direct a District Committee to reconsider a minimum rate.

**The Agricultural Wages (Regulation) (Scotland) Act, 1940.**

10. Under this Act the power to direct a District Committee to reconsider a minimum rate was transferred to the Scottish Agricultural Wages Board. The Board is also empowered by the Act of 1940 to vary the decision of a District Committee after taking into consideration any representations made by the Committee.

**Order in Council S.R. & O. 1944 No. 326 made under  
Emergency Powers (Defence) Acts, 1939 and 1940.**

11. By this Order, made in March, 1944, the powers of District Committees under the Agricultural Wages (Regulation) (Scotland) Acts, 1937 and 1940, and under the Holidays with Pay Act, 1938, to fix minimum rates of wages were transferred to the Scottish Agricultural Wages Board.



#### (4) COTTON MANUFACTURING INDUSTRY (TEMPORARY PROVISIONS) ACT, 1934.

12. The difficult economic conditions prevailing in this Industry prior to 1934 led many employers to offer lower working conditions, which considerable numbers of workers were prepared to accept rather than risk losing their jobs. The whole structure of the collective agreements in the Industry was threatened with collapse, and to prevent this, the Cotton Manufacturing Industry (Temporary Provisions) Act was passed in 1934. This Act made temporary provision (which has been renewed each year to date) for enabling statutory effect to be given to rates of wages agreed between representative organisations in the weaving section of the Cotton Industry. The Act does not, however, make the Minister of Labour and National Service in any way responsible for the terms of agreements, nor does it require him to intervene in negotiations between organisations.

13. Under the Act, an organisation of employers and an organisation of workpeople both of which must be representative of the Industry, or the grades of the Industry concerned, may make joint application to the Minister of Labour and National Service for the making of an Order in respect of any agreement reached by such organisations, as to the rates of wages to be paid to persons employed in the Industry.

Unless the Minister is satisfied that the organisations making the application are not representative of the Industry or of the grades of the Industry concerned, he is required to appoint a Board consisting of a Chairman and two other members unconnected with the Industry to consider the application. Each of the parties to the application may appoint six of its members as assessors to the Board.

If the Board makes a unanimous recommendation to that effect, the Minister may make an Order setting out the rates of wages embodied in the agreement, which are thereafter considered as a term of contract of every employed person concerned. Employers are required to keep records showing compliance with the Order, and any employer paying less than the prescribed rate is liable to a monetary fine. Action to secure enforcement of such Orders is a matter for the Industry.

14. The first Order under the Act was made in 1935. The provisions of this Order, which dealt with rates of wages of weavers, were cancelled in 1937, when two further Orders on the subject were issued simultaneously, one of them revoking the earlier Order and the other setting out a revised agreement between the two sides of the Industry.

15. Arising out of discussions in connection with the passage of the Cotton Industry (Re-organisation) Act, 1939, an undertaking was given by the Government to examine, in consultation with the Industry, the question of extending the policy of giving statutory



effect to wages agreements in the Cotton Industry as a whole. Arrangements were made for proposals to be submitted by the Industry, but owing to the war there have been no further developments.

## (5) CATERING WAGES ACT, 1943.

### Historical.

16. In 1925, representations were made to the Minister of Labour that the rates of wages prevailing in the Catering Trades and the lack of organisation in these trades were such as to render application of the Trade Boards Acts necessary. A Departmental Inquiry was undertaken into the conditions in the Light Refreshment and Dining Room (Non-Licensed) branch of the trade. The Report of the Inquiry was almost wholly statistical, and the Minister of Labour decided that the conditions revealed did not justify at that time the application of the Trade Boards Acts.

17. A second Inquiry was held in 1929, which extended to licensed premises. Following upon this Inquiry the Minister of Labour gave notice of intention to make a Special Order applying the Trade Boards Acts to the Catering Trades. A number of objections were received, and in November, 1930, the Minister appointed Sir Arthur Colefax, K.B.E., K.C., to hold a public Inquiry regarding the proposed Order. The Report of the Inquiry was mainly concerned with the definition of "catering trades" in the draft Special Order in relation to the scope of the Trade Boards Acts.

Representatives of certain branches of the Catering Trades subsequently made an application to the Divisional Court for the Minister to be prohibited from making the Special Order on the grounds that it was *ultra vires*. In February, 1931, the Divisional Court prohibited the Minister from making the Special Order. The Minister appealed successfully from the Judgment of the Divisional Court and an appeal was then made to the House of Lords. This appeal was, however, discontinued when there was a change of Government in 1931, and the new Minister of Labour decided not to proceed with the Special Order.

### Scope of the Act.

18. The Catering Wages Act, 1943, which became law on 10th June, 1943, makes "provision for regulating the remuneration and conditions of employment of catering and other workers and, in connection therewith, for their health and welfare and the general improvement and development of the industries in which they are employed". To deal with the variety of the Catering Trades and the



complexity of the problems which required to be solved, the Act provided for the appointment of a permanent Commission, the Catering Wages Commission.

19. The workers covered by the Act are " all persons employed in any undertaking, or any part of an undertaking, which consists wholly or mainly in the carrying on (whether for profit or not) of one or more of the following activities, that is to say, the supply of food or drink for immediate consumption, the provision of living accommodation for guests or lodgers or for persons employed in the undertaking and any other activity so far as it is incidental or ancillary to any such activity as aforesaid of the undertaking ".

The Act applies " to civilian workers employed by or on behalf of the Crown in connection with any industrial undertaking as it applies in relation to workers employed otherwise than by or on behalf of the Crown ". It does not apply to workers in ships.

### **Catering Wages Commission.**

20. The Catering Wages Commission consists of not more than seven persons, including independent persons and persons qualified to represent the views of the employers and workpeople but who are not themselves directly connected with the Hotel or Catering trades. The Minister may appoint persons with expert knowledge of any matters which fall within the jurisdiction of the Commission, to act as assessors in connection with any investigation or inquiry that the Commission may undertake. Such assessors may not vote or otherwise become a party to any report or recommendation of the Commission.

21. The functions entrusted to the Catering Wages Commission by the Act are as follows :—

" The Commission—

(a) shall make such enquiries as they think fit or as they may be directed by the Minister to make into the existing methods of regulating the remuneration and conditions of employment of workers to whom this Act applies, and into any other matter affecting the remuneration, conditions of employment, health or welfare of such workers ;

(b) shall make such enquiries as they think fit or as they may be directed by the Minister to make into means for meeting the requirements of the public, including in particular the requirements of visitors from overseas, and for developing the tourist traffic ;

(c) shall make such recommendations (if any) as they think fit to any Government Department with respect to any matter affecting the remuneration, conditions of employment, health or welfare of such workers or with respect to any such matter as is mentioned in paragraph (b) of this sub-section ;

(d) shall report to the Minister on any matter which he has directed them to enquire into and shall annually submit to him a general report on their proceedings."



22. Where the Catering Wages Commission finds that existing joint machinery in any section of the Industry is adequate, it may report accordingly to the Minister of Labour and National Service. If it is found that existing machinery is inadequate and the Commission suggest in a report to the Minister methods for improving the machinery, he is under obligation to take all steps expedient and practicable to secure the improvement in question.

### **Wages Boards.**

23. If as respects any workers adequate voluntary machinery does not exist or existing machinery is inadequate and cannot be made adequate, then, subject to all necessary inquiries, and the consideration of any representations received as a result of notices of intention given in a prescribed manner, the Commission may recommend to the Minister of Labour and National Service the appointment of a Wages Board.

24. If the Minister decides to establish a Wages Board he will do so by means of a Wages Board Order in accordance with the Commission's recommendation (subject only to unimportant variations). The Order must be laid before Parliament and if either House of Parliament resolves within forty days that the Order be annulled, it will thenceforth be void. Alternatively the Minister may refer a recommendation back to the Commission for reconsideration.

25. A Wages Board will consist of not more than three independent persons together with representatives in equal numbers of the employers and workers in relation to whom the Board is to operate.

26. A Wages Board may submit to the Minister proposals:—

(1) for fixing the remuneration to be paid (including holiday remuneration) either generally or for any particular work by their employers to all or any of the workers in relation to whom the Board operates;

(2) for fixing the intervals for meals or rests; and

(3) for requiring workers to be allowed holidays.

Any wages regulation proposal must be advertised and the Board must consider any written representations made within a specified period.

The Minister is required to make a Wages Regulation Order as submitted to him, subject to his right to refer it back to the Board for reconsideration; and an Order when made becomes effective without further formality.

27. In general, the statutory minimum remuneration fixed by a Wages Board must be paid in cash without deduction. Payments made by a worker for any benefits or advantages provided in connection with his employment will be treated for this purpose as a deduction from the cash remuneration paid by the employer. The Board may, however, authorise certain specified benefits or



advantages provided in connection with the employment to be counted as payment of wages in lieu of cash up to amounts fixed by the Board.

Wages Boards will be free to deal with tips in any way they consider necessary and practicable having regard to the varied conditions of the industry.

A Wages Board may issue permits of exemption to infirm workers authorising their employment at less than the statutory minimum rate and specifying the conditions under which they may be employed.

28. A Wages Regulation Order will not prejudice any similar rights conferred on any workers by any other Act, and will not affect any workers whose employment is within the jurisdiction of a Trade Board, Agricultural Wages Board, Agricultural Wages Committee, or the Road Haulage Central Wages Board. An employer or his agent who fails to comply with an Order is liable to be prosecuted.

29. The Catering Wages Commission was appointed in July, 1943. In their first report in January, 1944, (Cmd. 6509) they recommended the establishment of a Wages Board for industrial catering, and on 13th March, 1944, the Minister made the Wages Board (Industrial and Staff Canteen Undertakings) Order, 1944, giving effect to the recommendation.

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## Section IX

### HOLIDAYS WITH PAY

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#### COMMITTEE ON HOLIDAYS WITH PAY.

1. In March, 1937, the Minister of Labour appointed a Committee of Inquiry under the chairmanship of Lord Amulree to investigate the extent of paid holidays and the possibility of extending the provision of such holidays by statutory enactment or otherwise. The position at that date was that there was no general or other legislation providing for or dealing with holidays with pay, and that, where given, they were entirely a matter of voluntary agreement or arrangement.

The Committee presented a unanimous Report in April, 1938. From an examination of the available information the Committee estimated that, of the 18½ million persons in the employment field who were either manual workers or non-manual workers in receipt of £250 a year or less, some 7¼ millions, or a little over 40 per cent. of the total, were at that time provided with annual consecutive holidays with pay in some form.

2. In the course of its inquiry the Committee "came across little lack of understanding of the value of holidays with pay as a



social measure," but it found that views were divided on the question of the desirability of introducing general legislation.

The view in favour of a general statute was that legal enactment and voluntary collective bargaining were not incompatible, and the parallel was drawn of the position in the Trade Board industries, where minimum conditions laid down by statutory bodies have been commonly exceeded by voluntary arrangement.

The argument against legislation rested upon considerations concerning industrial relations in this country and the development of the system of collective bargaining. The argument as summarised in the Committee's Report was that questions of holidays with pay must be related to actual rates and not to minimum rates and that "statutory enforcement of holidays with pay must in reality be dependent ultimately upon the general wage machinery which lies outside the control of Parliament under present conditions, and so be quite lacking in self-sufficiency as legislation, unless there were in existence some general statutory control of wages; for any provision of holidays with pay could be made nugatory in its financial effect, by the employers, if circumstances made it necessary, making a reduction of wages through the ordinary channels subsequent to the legislation. . . . Legislation in regard to holidays with pay would be intervention by Parliament in regard to one particular item of the workers' remuneration. This intervention would not only transgress the voluntary principle of wage negotiations, but owing to its incomplete character would have adverse repercussions on the wage negotiations left to voluntary arrangement."

3. The Committee "found that the logic of the conclusions expressed in the foregoing paragraph was inescapable, except in so far as it was possible for the people to enjoy a greater portion of the earnings of individual industries, and to the extent that productivity as a whole was increasing and the cost of holidays with pay would be absorbed in the near future." They considered that "the differences in the terms and conditions of service in various industries and trades and districts are so great that any attempt to apply at once to all industries and trades one uniform rule would be likely to produce serious difficulties" and that "flexibility is the keynote to success and that, therefore, collective bargaining should be left to settle as wide a sphere of the matters at issue as can be arranged."

4. With regard to the cost of holidays with pay, the Committee stated that this would vary according as each industry employed a large or small proportion of labour in relation to its costs of production, and that the provision of paid holidays if required immediately without opportunity for adjustment might bring about a serious state of affairs in some industries. The Committee stated, however, that the progress made by collective agreement regarding holidays with pay should not be under-estimated and that it seemed probable, even without legislation, that the near



future would see a still further increase in the growth of collective agreements and of individual arrangements by particular firms.

5. The Committee formed the opinion that the time was opportune in the interests of social progress and industrial efficiency for some more active steps to encourage the taking of holidays by employed workpeople, and regarded it as desirable that employees should receive payment in respect of and at the time of the holiday period. As, however, the matter of holidays with pay was so closely bound up with general issues affecting wages and working conditions, the Committee felt that there should be arrangements for delaying the enforcement of the recommended system of remuneration to meet any possible cases where harm would result to the industry from immediate enforcement. Accordingly, in view of the "danger of hasty legislation", the Committee considered that there should be a probationary period before holidays with pay were made compulsory.

6. With these considerations in mind, the Committee recommended that an annual holiday with pay equivalent to the working week should be established without undue delay as part of the terms of the contract of employment, and that every possible effort should be made to deal with this matter by voluntary arrangement. A probationary period of two to three years was proposed before the introduction of general legislation. In industries where a worker might be employed with many employers in the course of the year, it might be necessary to introduce a card system so that the various employers could contribute to the employee's holiday. Where such a scheme was introduced the cost of administration should be borne by the State.

Trade Boards, Agricultural Wages Committees and other similar statutory bodies for fixing remuneration should be empowered to consider and determine whether the provision of a holiday with pay should be granted; and legislation for this purpose, and also to provide that domestic staff in full-time employment should be entitled to two weeks' holiday with pay after a year's service in one household, should be introduced at an early date.

7. The Committee also recommended that legislation should be introduced in the 1940-41 Parliamentary Session making provision for holidays with pay in industry generally without adversely affecting any existing more favourable provisions for this purpose, and meanwhile it advised that the Minister of Labour should encourage the spread-over of holidays, should supervise the application and observance of the provision of holidays with pay, and should stimulate the provision of better holiday accommodation.

### **HOLIDAYS WITH PAY ACT, 1938.**

8. The Government welcomed the recommendations of the Amulree Committee and announced its desire to give effect to them to the fullest practicable extent. A Bill was introduced in the House of Commons on 7th July, 1938, and received the Royal Assent on 29th July, as the Holidays with Pay Act, 1938.



9. This Act carried out the recommendation of the Committee that all statutory wages regulating authorities (e.g. Trade Boards and other statutory Wages Boards) should be empowered to give directions providing for holidays with pay for the workers for whom they prescribe minimum wages, in addition to any other holidays or half-holidays to which such workers may be entitled under any other enactment, e.g. Shops Act.

The Act also provided that, on a joint application made by an organisation representing employers and an organisation representing workers in an industry or a branch of an industry, the Minister of Labour and National Service may assist the administration of schemes for securing holidays with pay by attaching officers of the Department and in any other way he thinks fit. The arrangements made may provide for the Minister to make to the workers the holiday payments due under the scheme. When this is done the arrangements must also provide for both the sums paid out and any expenses attributable to the scheme to be repaid to the Minister.

10. Apart from the power given to statutory wages regulating authorities to provide for compulsory payment for holidays in the industries with which they were concerned, the Holidays with Pay Act, 1938, made no provision for the institution of compulsory arrangements for holidays with pay or for the enforcement of voluntary agreements. Schemes for such payment consequently remained a matter for joint negotiations between the representatives of the two sides of industry, supported by the encouragement of the Ministry of Labour which in 1938 set up an Inter-Departmental Committee to co-ordinate industrial, educational, transport, lodging and other holiday arrangements.

### **VOLUNTARY COLLECTIVE AGREEMENTS FOR HOLIDAYS WITH PAY.**

11. There is a wide diversity in the terms of the different voluntary agreements providing holidays with pay. A booklet was prepared by the Ministry of Labour and published by H.M. Stationery Office in March, 1939, giving a summary of the main provisions commonly contained in agreements and the texts of some of the agreements. The following paragraphs show the principal ways in which these agreements have been framed.\*

12. The length of the holiday is usually defined either in weeks or in days. The normal period is one week or six days, but in certain cases longer periods up to two weeks or twelve or fourteen days, have been arranged. Where the period is stated in days, it is generally required that such days shall be consecutive, but under some agreements the period may be split by mutual arrangement. In addition to this consecutive period, a number of agreements provides for some or all of the usual public holidays to be granted to workers without loss of pay.

\* More detailed information regarding the provisions of collective agreements is contained in an article "Payment of Wages for Holidays" in the Ministry of Labour Gazette, (September, 1944).



While it is the general rule that the agreements should fix the length of the holiday, there are some agreements which contain no provision on this matter. The principal instance is the general agreement for the Engineering Industry which provides for the holiday payment to be made out of a fund made up of accumulated weekly credits. This payment, which normally would amount to not more than one week's wages, is paid over to the workpeople at the recognised summer holiday period. The agreement does not define this period, which may presumably vary at different establishments.

Agreements frequently stipulate that the holidays shall be taken between definite dates in the summer months. This may, however, be qualified by the inclusion of such phrases as "unless otherwise arranged" or "as far as possible." Some agreements do not go beyond stating that the holiday is to be taken in the "summer," or between certain dates, e.g. 1st April and 31st October.

13. Agreements generally lay down the conditions which entitle a worker to the benefit of the paid holiday. The majority of agreements provide that qualification for the full rate of payment depends upon the worker having a certain length of service, the service predominantly specified being twelve months. There are also numerous instances of the benefit of a paid holiday being made dependent on the worker not having lost, through his own fault, more than a certain number of days during the qualifying period.

14. Many agreements simply state that the holiday shall be "with pay" or "with full pay." The intention here no doubt is that the employee should receive for the holiday period the same amount of wages that he would have received had he remained at work. A number of agreements, while stipulating that time workers shall be paid their ordinary time rate, provide that the pieceworker also shall receive his appropriate time rate. In other cases pieceworkers receive their average weekly earnings calculated over a stated period. In a number of agreements, payment consists of a flat rate not identical with the actual rate of wages received by the individual worker.

Where continuity of employment is a prerequisite for payment for holidays, it does not necessarily follow that workers who leave their employment before their holiday is due are entirely deprived of the benefit of the agreement. Frequently the strict operation of the rule is relaxed, and some allowance is made, subject to certain conditions, to employees who leave before they have taken their holiday. Usually this consists of a payment proportionate to the time served since the date of the previous holiday or some other specific date. The cause of the employee leaving is often a relevant factor in the conditions relating to the grant of this allowance.

15. Special schemes have been framed for industries such as Building and Civil Engineering, where the employees are liable



to somewhat frequent changes of employment. In these industries arrangements have been made for holidays with pay schemes to be administered on a non-profit basis by independent Management Companies which have been set up for this purpose by agreement between the respective national bodies representatives of the two sides. Under these schemes, special stamps of specified value are purchased by the employer from the Management Company, and a stamp is affixed to a holiday card for the worker in respect of each week in which he is employed. When the employee takes his holiday, the employer with whom he is employed at that time pays to him a sum equivalent to the value of the stamps on his card, less an agreed charge for administration. The employer is subsequently reimbursed by the Management Company for all such payments.

### **STATUTORY PROVISION OF HOLIDAYS WITH PAY.**

16. The application of the Holidays with Pay Act, 1938, to industries covered by statutory wage regulating authorities (the Trade Board trades, Road Haulage and Agriculture) was provided for in the Regulations and Orders referred to in the following paragraphs. The provisions of the Catering Wages Act, 1943, in regard to holidays with pay are referred to in paragraph 24.

#### **Holidays with Pay (Adaptation of Enactment) Regulations, and Confirming Orders.**

17. Under Section 3 (2) of the Holidays with Pay Act, 1938, Holidays with Pay (Adaptation of Enactment) Regulations were made in 1938 by the Minister of Labour and National Service in respect of the Trade Board trades and the Road Haulage Industry, and by the Minister of Agriculture and Fisheries in respect of Agriculture. These Regulations provided for the application of the general procedure for the fixing and enforcement of minimum rates of wage in these trades to directions given by the wage regulating authorities under the Holidays with Pay Act, 1938. Subsequently a series of confirming Orders made the granting of holidays with pay obligatory in most of these trades and industries.

#### **Trade Boards and Road Haulage (Holiday Period) Order, 1940.**

18. In order to meet special circumstances under war-time conditions, an Order was made under Defence Regulation 58AB which provided for the amendment of directions given under the Holidays with Pay Act, 1938, so that in Trade Board trades and the Road Haulage Industry, the holidays with pay may be taken in not more than two spells if by reason of circumstances arising out of the war it is not practicable for the holiday to be taken in one continuous spell.

#### **Trade Boards.**

19. At the end of 1943, confirming Orders had been issued by the Minister of Labour and National Service in respect of forty-eight of the fifty-two industries covered by Trade Boards, con-



taining directions regarding holidays with pay applicable to every worker for whom a minimum rate of wages had been fixed by the particular Boards. These Orders provide that the number of days of holiday which a worker is entitled to be allowed shall not in any period of twelve months commencing on 1st January exceed in the aggregate the period constituting that worker's normal working week. An employer is required to allow to every worker a paid holiday, the duration of which is related to the period of employment during the year. The holiday is to be allowed on consecutive days during the holiday season and the worker is to be given reasonable notice of the commencing date and duration of his holiday.

The holiday remuneration is in general related to the amount which the worker would be entitled to receive for a week's work if paid at the appropriate minimum rate and if working his normal working week. It is payable on the last pay day preceding the holiday, or, in some cases, on the first working day following the holiday. If the worker ceases to be employed and holiday remuneration has accrued to him, this must be paid immediately on the termination of the employment.

Trade Board Confirming Orders make no provision for payment for public holidays, but in some Trade Board trades, e.g. wholesale clothing, voluntary agreements provide for such holiday payments.

### **Road Haulage.**

20. Road Haulage workers covered by Part I of the Road Haulage Wages Act, 1938, are, by Orders made under that Act and the Holidays with Pay Act, 1938, allowed six public holidays and all nationally proclaimed holidays, with payment on the basis of the wages due for  $8\frac{1}{2}$  hours' work at time rate. A worker required to work on such days of holiday must be paid at double the rate otherwise applicable to his work. In addition to these holidays the employer must, between 1st April and 31st October, in each year, allow a holiday with pay of six consecutive days to a worker who has been continuously in his employment for at least forty-eight weeks during the previous twelve months. A proportionate number of days' holiday must be allowed to workers with eight weeks' and less than forty-eight weeks' employment. (In the case of milk workers the holiday with pay provided for is seven consecutive days, the qualifying period is forty-nine weeks, and the minimum period for a proportionate holiday is seven weeks.) Certain absences, for example those arising from proved sickness or accident, shortage of work, etc., do not break the continuity of service for this purpose. The employer is required to give the worker reasonable notice of the commencing date and duration of his annual holiday. The holiday remuneration must be paid on the last pay day preceding the holiday.

### **Agriculture.**

21. Holidays with pay for agricultural workers in England and Wales are provided for in Orders issued by the Agricultural



Wages Board. Each Order applies to an administrative county or group of counties, and there has, until recently, been considerable variation in the length of the holiday period and the conditions conferring title to the paid holiday in the different counties.

Orders made with effect as from 18th June, 1944, however, contain directions which introduce a substantial measure of uniformity throughout England and Wales. These directions provide that whole-time workers shall be allowed holidays at the rate of one day for each two consecutive months of regular employment completed on or after 1st November, 1943, with a maximum of six days in any period of twelve months ending 31st October. A worker who is required to work seven days a week in 30 or more weeks in any year ending 31st October, must be allowed a holiday on a Sunday in addition. The holidays may be allowed at any time or times during the holiday year ending 31st October agreed upon between employer and worker but must not be given, except with the consent of the worker, before 1st April. When there is no agreement as to when holidays are to be allowed and the employment is to terminate, the holidays must be allowed in the last four weeks of the employment. Where a worker is entitled to holidays of three or more days, three of such holidays must be on consecutive days.

The directions contain provision for minimum daily rates of holiday remuneration of one-sixth of the weekly statutory minimum wage. Such remuneration must be paid on the pay day immediately preceding the time when the worker is entitled to the holiday or, if earlier, on the termination of the employment.

Sundays and certain specified public holidays are excluded from the holiday period. The Orders provide that any employment on four public holidays (in one area five such days and in another area six) shall be paid for at overtime rates and that in the weeks concerned there should be a reduction in the number of hours making up the hours in respect of which the weekly minimum wage is payable. The effect of this is that the worker either receives the day's holiday on full pay without having to make up the time or, if he is required to work on the public holiday, he is entitled to overtime payment for all employment on that day. The specified public holidays are thus, in effect, days of paid holiday.

22. Certain of the above provisions regarding holidays with pay are modified in the case of an agricultural worker who has been granted a permit of exemption, e.g. an infirm worker.

23. In Scotland, the Orders are issued by the Scottish Agricultural Wages Board, and different Orders apply to each of the eleven districts into which the country is divided for wage regulation purposes. The conditions governing the title to holiday vary to some extent between different districts, but, in general, workers engaged or employed for twelve months receive not less than six days' paid holiday in the year. Skilled workers and those employed on a seven-day week basis frequently receive seven days' holiday; otherwise the period of the holiday is proportionate to the period of employment during the year. With



the exception of New Year's Day, provision is not usually made in the Orders for payment of wages in respect of public holidays. Generally it is provided that one period of not less than three consecutive days shall be allowed as a holiday; the holiday remuneration is not less than the appropriate daily proportion of the weekly minimum rate or nine times the respective hourly minimum rate, and is paid not later than the first regular pay day after the holiday is taken.

### **Catering Wages Act, 1943.**

24. This Act, which was designed to regulate the remuneration and conditions of employment of persons engaged in the supply of food for immediate consumption or the provision of living accommodation for guests or lodgers, empowered any Wages Boards that might be set up under the Act to prepare proposals requiring all workers to be allowed holidays by their employers and fixing holiday remuneration.

### **GENERAL.**

25. The outbreak of war caused the suspension of the activities of the Inter-Departmental Committee referred to in paragraph 10. The Catering Wages Commission which was established under the Catering Wages Act, 1943, has, however, the duty of making inquiries into means for meeting the requirements of the public, including in particular visitors from overseas, and for developing the tourist traffic.

26. When the Holidays with Pay Bill was before the House of Commons in 1938, the Government intimated its intention to give consideration when the time came to the recommendation of the Amulree Committee that legislation should be passed during the Parliamentary Session of 1940-41 to make provision for holidays with pay in industry generally. The war, however, made this impracticable.

There has, nevertheless, been a very considerable development of holidays with pay since the Amulree Committee estimated in 1938 that about  $7\frac{3}{4}$  million workpeople received holiday payments. No estimate of the corresponding number at the end of 1943 is available, but it is probably in the neighbourhood of 15 millions, including approximately  $2\frac{1}{4}$  millions covered by the arrangements made by statutory wage regulating authorities in the exercise of the powers given to them by the Holidays with Pay Act, 1938. The principal industries in which holidays with pay have become general under agreements made since 1939 are Cotton, Woollen and Worsted, Textile Bleaching Dyeing and Finishing, Hosiery, Building, Civil Engineering, Electrical Contracting, the Heating, Ventilating and Domestic Engineering Industry, Dock Labour and Merchant Shipping. In addition, although a considerable number of shop assistants have for many years received paid holidays under arrangements made by individual employers, provision has now been made by trade agreements in the principal Retail Distributive Trades for payment for holidays as a general condition of employment.



## Section X

### SYSTEMS OF WAGE PAYMENT

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1. Wage questions lie at the basis of industrial relations and disputes about wages are the main cause of stoppages of work. It is not, however, the present purpose to discuss the principles and factors which should determine an equitable wage standard or the relationship between wages in different industries. As already explained, wages are in fact settled for the most part by joint collective discussion and negotiation by those having a detailed knowledge of the circumstances in the industry. The object of this Section is to describe briefly some of the methods which determine the amount of remuneration which a worker receives.

#### Definition of Wages.

2. It is necessary to define what is meant by the term "wages" in this connection. There are two main characteristics of wages as ordinarily understood. First is the fact that the skill and energy of the worker are at the disposal of the employer during a certain time and are disposable for a definite purpose. Secondly there is a contract of service, actual or implied, in which the amount of the reward for the effort of the worker is clearly stipulated. The term "wages" can therefore be defined as the payment made to workers for placing their skill and energy at the disposal of an employer, the method of use of that skill and energy being at the employer's discretion and the amount of the payment being in accordance with terms stipulated in a contract of service.

#### Hours of Work and Overtime.

3. The time during which the services of a worker are at the disposal of the employer is part of the contract of service. There are certain statutory restrictions on the hours of employment (including overtime, Sunday work and night work) of women and young persons in industrial employment, but male adults are free to contract to work any hours they choose. Rates of wages are fixed in relation to a specific number of hours in the day or the week. Where work is done beyond the agreed hours extra payment for overtime is usual for wage earners in industrial employment. Employers claim the right to decide when overtime is necessary, but most voluntary agreements contain provisions which determine the conditions on which overtime is to be worked, as well as the rate of extra payment to be made. For example, the general overtime agreement in the Engineering Industry lays down a normal limit of not more than 30 hours overtime in any four weeks after full shop hours have been worked, but the restriction does not apply to breakdowns, repairs, and similar urgent needs.



4. The extra payment for overtime is usually expressed as a fraction (time and a quarter, time and a half, double time, etc.) of the normal rate of pay. Generally the rate progresses according to the duration of the overtime worked, e.g. time and a quarter for the first two hours, time and a half for the second two hours, etc. In some cases overtime payment is on a daily basis, and the worker becomes entitled to the enhanced rate of pay at a certain time of day or as soon as the normal daily hours of labour have been performed, irrespective of the aggregate number of hours worked in the week in which the overtime occurs. Where the payment is on a weekly basis, the worker is not entitled to the enhanced rate unless the full number of hours constituting the normal week has been completed. The majority of agreements fall into the former class. Payment on either basis is, however, subject to a number of qualifications. Thus in many agreements provision is made that time lost for various reasons shall be made up before the overtime rate becomes payable, but it is often stipulated that this provision is not to apply where the loss of time is due to such causes as certified sickness, absence with leave or enforced idleness.

### WAGES ON TIME BASIS.

5. The commonest form of wage payment is that which is based on time. Provided the labour of the worker is under the direction of the employer for a specified time, whether hour, day or week, a certain sum becomes payable to him. For instance, the rates of wage in certain industries in 1943 were 2s. 1d. an hour, 12s. 6d. a shift, and £4 15s. per week. These are known as time rates in so far as the basis is a unit of time, the hour, the day or shift, or the week. A relatively small number of workers is paid "a standing wage" of a specified amount per week or month which is payable irrespective of the hours actually worked.

6. A time rate of wage most commonly appears in collective agreements between organisations of employers and workers, since rates of this kind lend themselves to application to large classes or groups of workers. The usual form is a rate per hour, or a rate per day or week payable in respect of a specified number of hours. This, when determined as a result of collective bargaining, becomes applicable to an agreed class of worker and everyone within that class must receive it at least. In other words, it is an agreed minimum payable to all the individuals concerned whatever variations in capacity there may be between them. It has no direct relation to individual output. Probably in most instances it has a connection with average output and is roughly a mean in terms of money of the outputs of the workers of varied capacities above and below average. In theory it is a minimum.

7. Where the minimum rate is fixed in relation to a specific occupation it tends to become the rate commonly paid simply because in basis, as has been suggested above, it is linked up in some way with the wage cost which the industry can bear in respect of the average individual output per hour of a group of workers.



The margin above the average is balanced by the deficit arising out of the relative failure of the subnormal workers. In practice it probably represents in the employer's mind a fair wage cost and accordingly he tends to keep it as the standard. The theoretical minimum thus usually becomes the predominant rate, at least for the lower paid occupations.

While the remarks on this subject are of general application in a broad sense, they are subject to modifications in particular cases. The question of merit rewards is dealt with below but, apart from the workers who are in receipt of such rewards, there are considerable numbers who are paid rates of wages in excess of the recognised minimum rates applicable to their occupation. Moreover, it seems probable that many individual employers pay a large proportion of their workers rates of wages above the minima. There are, for instance, cases in which there are voluntary agreements entered into by sections of employers under which rates above the Trade Board minima are payable. On the other hand there are, in normal times, many employers not affiliated to organisations entering into agreements, who probably pay somewhat less than the recognised minima, although this tendency has been checked during the war by the terms of the Conditions of Employment and National Arbitration Orders.

8. Standard rates do not exclude a differential payment for special merit. For instance, in the Engineering Industry it is a commonplace to find that certain difficult machines carry a penny per hour more than the standard rate, and even on the same machines some worker of a high degree of skill is not infrequently rewarded with an allowance over the standard rate. Quite frequently, too, in Engineering and other industries, classes of workers on specially difficult jobs become entitled to differentials; for example, tool room workers, maintenance men, and the like. A merit allowance in the strict sense of the term, however, relates only to the individual worker and not to a class of worker, though it is frequently applied to both. In nearly every industry where standard rates operate, there are individuals and classes of workers who receive more than the standard minimum.

9. In general, Trade Unions favour uniformity for the same occupation and locality rather than wide individual differentiation amongst their members. This uniformity tends to establish the solidarity and collective spirit upon which Trade Unionism is most firmly built, and eliminates the individualism which might arise from too much differentiation in rates.

Most employers have by experience become accustomed to the conception of the standard rate and recognise it as the basis of successful collective bargaining. In some exceptional cases it has been found possible to achieve the same result by standard piece-work lists, but such instances are exceptional and only possible under specially favourable conditions of local concentration and consistency of methods of production because of contiguity.



10. Wages sometimes consist of a combination of time and piece rates. In some of these cases the timework element is the greater and in others the piecework element. As an example, mention may be made of the practice in the Engineering Industry in which a weekly war bonus based on the number of hours worked is paid to workers mainly remunerated according to results. In some sections of the Iron and Steel Industry, on the other hand, the main element is a rate per shift, to which is added a bonus based on output. As an extreme example of a complex system of wage payment, mention may be made of the Coal Mining Industry where wages until recently consisted of (1) a base rate, which might be on a time or a piece basis, (2) a percentage addition which varied in correspondence with the proceeds of the industry in each district, (3) a flat rate per shift granted in 1936, (4) a flat rate per shift which varied in accordance with movements in the cost-of-living index figure, (5) a flat rate per shift which was originally granted for full attendance, (6) a flat rate per shift granted by an award of Lord Greene, (7) a bonus on output in districts where the output exceeded a specified standard. These items, except the flat rate addition for cost of living, have been merged in a consolidated wage under an Agreement dated 20th April, 1944.

### REMUNERATION BASED ON OUTPUT—INDIVIDUAL.

#### Safeguards.

11. The standard time rate does not take account of individual qualities and tends to produce a uniform level of performance over the field. It does not contain any incentive for the fullest possible use of individual ability, and the supernormal worker is not encouraged. In modern industry a strong movement has developed towards the adoption of a system which does recognise individual capacity and actually makes provision whereby it can be measured and remunerated. The forms which this has taken are infinite in variety. They are generally known as systems of payment by results. As the origin of these was remuneration on the basis of individual output, the innovation was in the beginning regarded with great suspicion by the Trade Unions. It obviously introduced the element of differentiation between workers which might have had the effect of weakening solidarity unless certain safeguards could be attached to the practice. Gradually, safeguards have been discovered and applied.

12. Outstanding amongst these safeguards is the arrangement whereby, whatever the earnings may be under any system of payment by results, there is a guarantee of the basic time-wage for the period worked. In addition to this in most agreements for the application of payment by results there is a provision whereby the elements of the scheme are so arranged as to ensure that the worker of average ability will earn a percentage over time wages. This percentage varies somewhat according to current circumstances but generally lies between 10 per cent. and 33½ per cent. In some industries, notably those covered by the Trade Boards Acts, the



method adopted is to fix a piecework basis time rate which is at a higher level than the ordinary time rate.

13. It has been discovered that with the exercise of a little ingenuity systems of payment by results can be devised which, through what may be regarded as an integration of individual outputs, result in the calculation of bonuses on a collective basis. The Trade Unions usually come directly into any such schemes and also into any plans in which piecework lists of general application, as for example in the Cotton Industry in Lancashire, are negotiated. The opposition of the Unions to the individualistic character of payment by results has been modified by experience as it has been found that this system need not undermine trade union organisation. Indeed, negotiations by Trade Unions play an important part in the formulation of safeguards in respect of the application of the principle.

#### **Straight Piecework—Uniform Price per unit.**

14. Some of the schemes of payment by results are purely individual in character. The most common of these is what is called straight piecework. This means payment of a uniform price per unit of production; and detailed piece price lists on this basis are embodied in many collective agreements and Trade Board Orders. This system is most appropriately applicable where production is repetitive in character and can be easily divided into similar units. The basic conception is equality of price for each similar unit. Accordingly, earnings vary directly with the number of units produced by the individual, for each of which the same payment is made. (The number of units produced, however, is not in all cases within the complete control of the individual; it is in some cases largely determined by the speed of the machine.) Under straight piecework, the wage cost per unit is a constant, so that an increase in output does not directly reduce the wage cost. On the other hand, there are a number of constant charges in the process of production, which are usually called oncosts, and these remain the same irrespective of the product. When production is increased the oncost charge per unit is reduced, so that an increased output on straight piecework does mean a reduction in *total* cost per unit. The *wage* cost per unit, however, is unaltered.

#### **Differential Piece Rate Systems.**

15. Difficulties in operating the straight piecework system were the main cause of the introduction of new systems dependent upon an adjustment in the wage cost per unit with every increase in output. In some cases the objection to a constant wage cost per unit has been met by reducing the piecework price after a certain numerical standard has been reached in a defined period. This has not attained any wide vogue because it seems to reverse the idea of piecework as an incentive to output. The commoner practice is to increase the price when the piecework output normal in a certain time has been exceeded. This was the basis of the original devices adopted in the "Scientific Management" schemes in the U.S.A. which are referred to in some detail later.



16. Part of the objection to straight piecework in certain industries was due to the action taken by some employers to reduce piecework prices when earnings rose rapidly and reached a level beyond what in any industry in any district was regarded as a traditional standard. Such a process of cutting prices inevitably caused strong feeling against piecework and seriously disturbed industrial relations. Also, if generous piecework prices happened to have been applied to certain work, the workers developed the practice of "ca'canny"; in other words, the tendency to cut piecework prices when they had the desired effect of greatly increasing output, actually militated against the operation of the system, because the workers re-adjusted their output to what were regarded as the habitual earnings standards. In these circumstances disputes over piecework prices became very common, and in Great Britain employers sought to discover some way whereby with increased output the wage cost per unit would be reduced without, however, lessening the worker's incentive.

#### AMERICAN DIFFERENTIAL PIECEWORK SYSTEMS.

##### Taylor's Plan—Differential Piecework Rates.

17. It was in America that the idea of "Scientific Management" first developed, the pioneer in this respect being Frederick W. Taylor of Philadelphia. He had had industrial experience of a most varied character and had in his time been machine operative, gang-boss, foreman, and ultimately general manager. He set himself to a scientific analysis of wages in relation to output, the first difficulty he met with being that of determining what was a reasonable day's work. He carried out a long series of observations and regard to this and introduced the system of time study in order to ascertain proper standards for estimating work on the basis of time.

18. His next step was to consider the methods of working in relation to conservation of energy, and he introduced a plan of motion study in which were recorded over lengthy periods the time taken in various movements required in certain operations. After close analysis of these and a reduction of the effort to a minimum to achieve the result, he introduced a series of new and limiting methods of production in his own factory which naturally had some effect on his estimates of a standard output on time. This combination of time study and motion study enabled him to come to certain conclusions as to a standard day's work and he advocated that his scheme was applicable in principle to any kind of work.

19. Finally, he proceeded to determine some way of measuring remuneration so as to provide an incentive to higher output. Having determined the standard day's output he proposed that this, and any excess over the standard, should be paid for at a higher rate than output below the standard. His policy was, therefore, that of a differential piecework price. The effect of this was to single out the subnormal workers, and provided that there was some surplus of labour available for engagement, it was open to



employers to dismiss workers who were habitually in the class of subnormal workers. Where this was done the natural tendency was so to improve labour that output per individual was enhanced.

20. In passing it may be noted that in the United States the conveyor belt system is common and this compels the individual worker to attain the standard output for the day. For this he receives a time wage which is considerably higher than that usually paid on a time basis for similar work where the conveyor belt system is not in operation; for example, remuneration may be in the nature of time and a half.

#### **Gantt's Plan—Task plus bonus.**

21. A number of Taylor's followers in the United States have introduced variants of his plan. Amongst these was Gantt, who adopted what is called the task-plus-bonus plan. Under this, after the application of the method of time study, a standard time is determined for a particular task. All those who manage to finish their work in less than the standard time receive an enhanced payment, and those who do not succeed in beating the clock are guaranteed at least the wages appropriate to the standard time. For instance, if the standard time were 4 hours and the job were performed in 3 hours, payment would be in the neighbourhood of  $4\frac{1}{2}$  or 5 hours for 3 hours' work.

Fundamentally, this system is based on the idea of "time taken" and "time allowed," which are the special features of the premium bonus system in Great Britain. A somewhat similar system has been in operation for many years in the bespoke tailoring trade in this country. Under this system a rate is fixed in respect of a "log hour". For each process a specified number of minutes is allocated and a proportion of the log rate is payable for the process on this basis. A worker who completes in 3 hours a task for which the allocated time is 5 hours receives 5 hours' pay at the log rate.

#### **Emerson's Efficiency Method.**

22. A further development of the Taylor plan is that known as Emerson's Efficiency Method. Here again time study is a necessary preliminary. A time is determined for a particular job and the worker who is able to complete it in this time is regarded as 100 per cent. efficient, or representing the unit of efficiency. Where the worker requires more than the allotted time a calculation of his efficiency is made, and anyone below two-thirds efficiency is regarded as subnormal; his services are likely to be dispensed with. 66 per cent. efficiency is regarded as the basis and a small bonus is paid for 67 per cent. upwards, until at 90 per cent. efficiency it reaches 10 per cent. For every additional 1 per cent. gain in efficiency after 90 per cent., 1 per cent. of bonus is added, so that at 100 per cent. efficiency the bonus is 20 per cent. This is more or less the same as Gantt's method except that a bonus is payable below the standard performance



Presumably the idea behind it is that the big majority of workers who are capable of 66 per cent. efficiency will, because of the incentives operating thereafter, make very strenuous efforts to get into the level on which the higher bonuses are paid. Of the American methods just reviewed, that most nearly approximating to a British method is Gantt's, which is closely akin to premium bonus.

### BRITISH PREMIUM BONUS SYSTEMS.

#### Halsey or Weir System.

23. In Great Britain the two most common systems of premium bonus are the Halsey (sometimes called the Weir) and the Rowan. Reward in both of these is calculated on the basis not of output *per se* but of time saved. A certain time is allocated to any piece of work and a proportion of the time saved is paid to the worker according to the prevailing system in operation. In both instances the basic time rate is guaranteed to the worker irrespective of the time taken. In the Halsey plan, the usual position is that one half of the time saved is paid to the worker in addition to the time taken. This is expressed in the formula, wages equal time taken plus half time saved. For instance, if the time allowed be 100 hours, and the time taken be 80 hours, then the payment is for 90 hours in the case where the proportion of the time saved to be included is one-half. This proportion is by no means constant and is varied according to the nature of the work.

It will be noted that the wage cost per unit is reduced as the time taken decreases. For example, on a time allowance of 10 hours, a wage per hour of 2s., and a premium of 50 per cent., the wage cost of the work done in 8 hours will be 18s. per unit; if the time taken is 6 hours, it will be 16s. per unit; if 4 hours, 14s. per unit. Where, therefore, output is increased, the wage price per unit under this scheme, unlike straight piecework, is not constant but falls proportionately, and the employer's share of the saving increases in each case, being half of the time saved. This meets the difficulties which frequently arose on straight piecework from bad price fixing. Even if some error of this kind has occurred, its effect is not so serious under the Halsey system because the proportion of the time saved which the worker receives is a constant on any particular job and the premium bonus rate is always lower than the hourly rate. This plan commended itself to industrialists because, to a great extent, it counterbalanced the factor which resulted in price cutting and frequent disputes—namely, error in rate-fixing.

#### Rowan System.

24. The Rowan system is one which has been devised to meet even more drastically the difficulties arising out of bad rate-fixing. In this case also a time is allowed for the job and the wages are calculated on a formula which is as follows: Time Taken

$$+ \frac{\text{Time Taken}}{\text{Time Allowed}} \times \text{Time Saved.}$$

On a job with an allowance of



100 hours completed in 60 hours this formula would give payment for  $60 + \frac{60}{100} \times 40 = 60 + 24 = 84$  hours. From this example it will be seen that the bonus paid is more than would be paid under the Halsey system with payment for half the time saved; i.e. under the Rowan system 24 hours' payment would be the bonus and under the Halsey system 20 hours. This continues to be true as regards the Rowan system until the time saved is 50 per cent. of the time allowed. The moment it exceeds this the Rowan bonus is less than the Halsey bonus and it is in this fact that the special safeguard against loose time fixing is to be found. For instance, let us assume that the time taken is 40 hours, the time allowed 100 hours, and the time saved 60 hours. The calculation under the formula in this case is as follows:  $40 + \frac{40}{100} \times 60 = 40 + 24 = 64$  hours. Actually the bonus, although 60 hours have been saved as compared with 40 in the previous case, is still payment for 24 hours. This bonus is, of course, earned in the shorter period of 40 hours in the latter instance. In this case the Halsey bonus would have been 30 hours' payment as compared with 24 under the Rowan system. In the almost impossible case of a 100 hours' job being done in 10 hours, the time saved would be 90 hours and the bonus for the 10 hours' work under the Rowan system would be 9 hours' payment whereas under the Halsey fixed percentage system the bonus payment would have been for 45 hours.

### PAYMENT BY RESULTS—COLLECTIVE.

#### Squad, Group or Team.

25. Comment has already been made on the fact that payment by results on an individual basis has not won universal favour in trade union circles. Modern tendencies have been in the direction of introducing the collective conception into payment by results. The impulse in this direction came originally from the trade union principle of collective action though other considerations have also weighed. Nowadays collective schemes are common, but even in the early days of pieceworking co-operation in production made group or team piecework inevitable. The total earnings of the gang or group determined by results are divided between the constituent members on an agreed basis. For example, in Shipbuilding there are riveting squads and plating combinations. In the first case the total earned is divided between riveter, holder-on and rivet-heater, and in the second is distributed to plater and helper as previously agreed. Something of the same sort operates in the case of the blacksmith and the striker.

In other industries, the method of production may require larger groups to co-operate in the production of some unit. Thus, in an Engineering establishment which is producing tanks, it has been common to find during the war a combination of skilled unskilled and apprentice males, with female workers, all employed as a productive unit. A price is fixed per unit and on its completion that sum is paid to all those participating, in proportion to their time wages over the period of production. In some cases



subordinate members of the gang are paid a fixed time rate out of the sum earned by the gang. Whatever time may be taken to achieve the result, the workers are guaranteed at least time wages as a minimum, and the actual price fixed is related to average time taken and the time rates of the various classes of workers. The adoption of some system of collective piecework is dictated by the need for co-operation in any particular piece of production by certain sets of workers.

#### **Department or Works.**

26. There are also various forms of payment by results in which a whole department or a whole establishment may be remunerated on some collective system. Usually a datum line is fixed for the output of the section or the works, and special allowances are payable after this has been reached. A very common instance is to take the output, for example over a month, and to enhance the wage rates by the percentage by which this is exceeded. For example, if the standard is 100 tons per month and 120 tons are achieved, then the bonus would be 20 per cent. on wage rates to all workers. This is probably the simplest form which a collective system can take.

#### **Other bases.**

27. It is impossible to bring within the compass of a short statement the large variety of schemes of collective bonus based on output which are in existence or have at one time or another been tried. Perhaps the most common is that dependent on weight. This operates with a certain measure of efficiency where the products are uniform within a comparatively narrow range. On the other hand, if there is variety the adoption of the weight factor alone may not function equitably. It may be that in a certain period a number of light articles is produced which require equal effort and skill to those of a heavier variety, and if weight alone is the consideration obviously the bonus would differ considerably and inequitably. Accordingly, if this factor is the determinant it is necessary to relate the scheme to some measure of uniformity of weight in the products.

The same consideration would apply if mere numbers determined the bonus. The elements included in the numbers must not differ materially from each other in size and requirement of skill. Where, however, repetition work is involved either plan is quite suitable.

28. In order to avoid some of the difficulties inherent in variety of production, many schemes have been devised and utilised in which the essential basis is the value of the product. For instance, it was at one time not uncommon to have a bonus scheme based upon the invoiced value of goods produced monthly. In one case 2 per cent. of this was taken and distributed amongst all the time workers, including apprentices, proportionately to the wages earned during the month. In another instance, a relation was established between wages and sales. The standard relation adopted was that wages were equivalent to 30 per cent. of the sales money value, and three times the percentage of any saving on this figure was paid to



the workers as a bonus on their wages. For example, if the actual wage percentage on sales was 25 per cent., then 15 per cent. bonus was paid, three times the 5 per cent. saved on the standard of 30 per cent. This is a form of bonus which is based on wage cost. It is, however, very doubtful if any plan which has as its basis the money value of the goods produced can be regarded as suitable, for a great many factors come into the determination of price over which labour has no control and which have no relation whatever to the energy expended by the workers in the processes of production.

29. A simplification of the wage relationship which does not take into account the prices obtained for the product, has been very common. For instance, various schemes of a fraction of a penny per shilling of wages for a uniform addition to output can be quoted in this group, e.g. a farthing addition to each shilling of wages for every thousand complete units per week, all workers engaged in the production being beneficiaries.

30. In all cases of collective payment by results some standard has to be adopted as being the output to be expected, and the question then arises of (1) a consistent bonus over the whole of the output; (2) enhancement at a certain level of production; or (3) payment of bonus only after a standard has been reached. For instance, there may be a scale graded on 100 units of output with a flat addition to the time rate for each 100 units produced, or it may be that no bonus is payable until the standard is reached and then a higher bonus paid than if it was paid over the whole output. The effect of this, of course, can be and usually is very much the same, because in the second instance the higher bonus over the excess output, if spread over the total output, works out in most cases to the same figure as a flat rate payable in similar circumstances over the whole output.

31. The following are examples of three types of bonus for output in excess of standard:

(1) *Uniform Increase, related to wages for standard output.*

<i>Output in units per hour.</i>	<i>Bonus.</i>
Up to 309	Nil
310	10 per cent.
350	15 „ „
390	20 „ „

(2) *Varying Increase, related to wages for standard output.*

<i>Output in units per week.</i>	<i>Bonus per cent.</i>	<i>Percentage increase per 500 units.</i>
Up to 999	Nil	—
1,000	2.5	—
1,500	5	2.5
2,000	10	5
2,500	15	5
3,000	25	10
3,500	35	10
4,000	50	15



(3) *Varying Increase, not related to wages for standard output.*

<i>Output.</i>	<i>Bonus.</i>
(a) Under 100 tons per month.	Nil
(b) From 100 to 110 tons per month.	£5 per ton over 100 tons.
(c) Over 110 tons per month.	As in (b) + £5 10s. per ton over 110 tons.

These examples illustrate the idea of a standard to be reached before bonus is payable and an increasing rate of bonus.

32. On occasion there is the seemingly contradictory practice of a reduction in the actual bonus after a certain point has been reached:—for example, 2d. per hundred up to 6,000 per week and 1d. for each subsequent hundred. This is the principle which operates in the Rowan premium bonus system and probably was inspired by it. It is, however, a direct contradiction of the American method as advocated by Taylor, the pioneer in "Scientific Management", who gave a higher rate when a certain figure was reached. It seems to provide no incentive for special effort and to be inconsistent with the view that with a greatly increased output it should be possible with advantage to the management to pay a higher bonus.

33. There is thus a great variety of bonuses on output and it is impossible to reduce these to any system of classification: the main categories have, however, been indicated. There are very few cases in which details as to the operation of bonus schemes are embodied in collective agreements between organisations of employers and workpeople. The principal industries in which schemes are defined in agreements are Building and Wool-combing. In the Building Industry, a bonus is paid in respect of output in excess of a specified basic output for which the ordinary hourly time rate is paid. The bonus is payable to gangs and shared in defined proportions. In the Wool-combing Industry a standard output per hour has been ascertained and a bonus of 1 per cent. is added to wages each four weeks in respect of each 1 per cent. by which the standard is exceeded. A bonus system is also defined in an agreement covering workers employed at blast furnaces in Cleveland and Durham. Details of the output bonus scheme in the Coal Mining Industry, under which a bonus was payable when the output in each period of four weeks exceeded a specified standard, are contained in a report of the Board of Investigation under the Chairmanship of Lord Greene. This District Output Bonus Scheme was discontinued under the Agreement made between the Mining Association and the Mineworkers' Federation on 20th April, 1944.

### **Indirect Labour Bonuses.**

34. In every establishment there are certain groups of workers to whom payment by results cannot be easily and straightforwardly applied, and during the present war this problem has caused a good deal of difficulty. Claims on behalf of labourers, cranemen, maintenance men, and tool room hands, have become very common on the ground that these workers contribute in



some measure to the output which is directly achieved by other workers. Disputes on this particular question were not uncommon in the years 1914-1918, but between the two wars the issue was not settled on any sort of agreed basis and its consideration has had to be resumed *de novo*. It is now, however, fairly widely recognised that in a payment-by-results shop or establishment, the ancillary workers on plain time rates to whose work payment by results cannot appropriately be applied, are entitled to some share in the bonus because of their contribution towards the output. In a number of instances claims have been made that everybody in any way concerned with the production should receive the same bonus, but in practice this has very rarely been recognised, and usually the bonus if given to related time workers has been on a percentage basis such as: full 100 per cent. bonus to skilled men on maintenance or in the tool room, 60 per cent. to cranemen and similar operatives, and 50 per cent. to unskilled labourers. These figures are quoted as indicative and as not uncommon in certain districts, but obviously they are by no means constant and vary from establishment to establishment.

35. The practice has thus become well established during the war years 1939-1944 of payment by results on a collective basis and participation in any scheme by workers who are not directly engaged on production. It is not possible to say to what extent it may continue in the post-war period, but the fact that collective payment by results has become well established has to a considerable extent modified the trade union attitude towards the system. The opposition is not so widespread and uncompromising as it was, provided of course that the Trade Unions have a definite voice in formulating and in operating any collective scheme.

### SPECIAL SLIDING SCALES.

36. This short summary will not be complete without some reference to sliding scales for wage regulation other than those with an output basis.\* Amongst these perhaps the best known is the cost-of-living sliding scale. The foundation for this is the monthly cost-of-living index figure issued by the Ministry of Labour and National Service (see Section XI of this Handbook), the purpose being to regulate movements in wage rates in correspondence with variations in the index figure. The details of the agreements vary from one industry to another, and there is no common basis for the determination of the amount of adjustment in wages which corresponds with a given variation in the index figure. The wage adjustments are in some cases based on the index figures relating to specified dates and in others on the average of index figures over a period. This plan has not been altogether popular

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\* More detailed information regarding sliding scales is given in an article "Adjustment of Wages by Sliding Scale Arrangements" in the Ministry of Labour Gazette, (June, 1944).



amongst the workers or amongst trade union leaders. It has been contemptuously referred to as "the fodder basis". It has been suggested that its existence in any industry tends to stabilise real wages and thus to prevent material improvement in them whatever be the circumstances. In some of the industries, however, in which these sliding scales operate, rates of wages are altered from time to time independently of the provisions of the scales, and during the war, wage rates in some industries have in fact been increased by amounts other than those due under the sliding scales.

37. On the other hand, this system ensures that real wages will not fall if, because of special circumstances such as a war, the prices of essential commodities soar in a manner which makes it difficult for wages to keep pace with them. In other words, the cost-of-living index method is adapted to a situation in which fluctuations in prices are rapid and severe; the adjustment is automatic in character and thus makes unnecessary frequent negotiations on the wage issue. It is doubtful, however, if the method has been analysed in a scientific way by employers, trade unionists, or economists, and if it were to be widely used as a regulating factor under ordinary circumstances, some other consideration than the mere cost-of-living index number would probably have to be linked up with it to obtain a controlling figure which would cover the other great question in wage regulation, the capacity of the particular industry to pay—a matter which may not have any connection whatever with the cost of living.

38. Sliding scales based on the ascertained selling price of a staple product in an industry have been not uncommon. The best known is that in the Iron and Steel Industry where, under peace conditions, there were periodical ascertainments (i.e. monthly, bi-monthly or quarterly) of the selling price of a ton of a standard product and wages were regulated accordingly. The ascertainment was carried out by joint accountants and the regulation was in accordance with an agreement between the organisations of employers and workers. This plan worked very smoothly for many years but of course it is not applicable to exceptional circumstances such as come into operation under war-time conditions, and in 1940 it was suspended in favour of a cost-of-living sliding scale. Despite its high reputation as a factor in industrial peace in the Industry in question, the selling price sliding scale is not a perfect solution of the wage problem. Owing to the lag in the ascertainment it may be that in the subsequent period prices will be rising and wages falling, or the converse may be true.

39. The system until recently in operation in the Coal Mining Industry was that a percentage addition to basis rates was adjusted periodically in accordance with variations in the proceeds of the Industry in each district, subject to over-ruling minimum percentages. The aggregate proceeds of the Industry were ascertained periodically and the balance, after the deduction of specified costs, was divided in fixed proportions as between wages and profits. The scheme was independent of the arrangement in this Industry



under which a bonus was payable where the output over each four-weekly period exceeded a determined standard. The ascertainment agreements were suspended under the Agreement reached in the Coal Mining Industry in April, 1944, the percentage additions then payable being merged in the consolidated rates.

### BEDAUX AND SIMILAR SYSTEMS.

40. In recent years various methods of wage regulation have been devised which take other factors than output and intensity of work into account. In most of these the idea is to devise a unit which represents the expenditure of energy to be expected from a worker in a certain time and yet makes an allowance for rest. The object is to ensure that at the end of the day the worker is not so unduly fatigued that, with the interval between one day and another, he will not be reasonably recovered and fit to carry on until a complete break is possible at the week-end or some other day each week.

41. Perhaps the best known of all these plans is the Bedaux system, under which an allowance is made on certain operations in terms of what is called the Bedaux or B unit. This unit represents the expenditure of energy, with due allowance for recovery, in one minute, so that there are 60 units in one hour. Expert rate fixers determine that particular operations are worth  $x$  Bedaux units and if in the hour the work done aggregates more than 60 units, then a proportion, e.g., 75 per cent. of the excess is paid to the worker. The balance is given to the management and administration on the ground that these sections of the firm have made contributions to the facilities and methods which have aided the workers in earning the bonus. For example, in an eight hour day the basic output would amount to 480 B's. If a worker succeeds in completing jobs which on the aggregate are equivalent to 600 B's, then the production bonus is 120 B's, 90 to him and 30 to the managerial pool. If his hourly rate be 2s. 6d.,  $\frac{1}{2}$ d. would represent each B so that on the figures quoted his bonus for the day would be 3s. 9d.

The rates which are paid are, of course, not determined by these experts. This is wholly a managerial function. The Bedaux experts deal only with the number of special units to be attributed to each job and how any special bonus is to be distributed as between the workers and the managerial group.

42. Intricate and complex schemes of piecework suffer from the great disadvantage that they are not easy to understand even by those who are directly affected. Accordingly, they may fail to achieve their purpose of providing an incentive to increased output or may be positively harmful to industrial relations by creating suspicion between workers and management. On the whole, it seems likely that workers and Trade Unions will continue to prefer principles which are more directly related to straight piecework.

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## PROFIT-SHARING AND LABOUR CO-PARTNERSHIP.

43. The various systems described in the foregoing pages relate to "wages" as defined in paragraph 2. The term "Profit-sharing," however, is used as applying to cases where, in addition to wages, employees receive in partial remuneration of their labour, a share, fixed beforehand, in the profits realised by the undertaking. Profit-sharing so defined does not include either bonus systems of wage payment or gratuities given at the discretion of the employer. The term "Labour Co-partnership" is applied to schemes which enable the workers to acquire shares or other capital of the business employing them. Generally such schemes are extensions of Profit-sharing schemes.

44. Profit-sharing has been tried in a wide variety of industries, but the number of schemes started has been very small in comparison with the total number of firms engaged in industry as a whole.

In 1929 the number of undertakings known to have Profit-sharing schemes was 517, including 181 Co-operative Societies. Since that time there has been a steady reduction in the number of schemes and few new schemes have been started. In 1938, the latest year for which figures are available, the number of undertakings with Profit-sharing schemes was 399, including 143 Co-operative Societies. These undertakings employed about 430,000 workpeople, of whom about 261,000 were entitled to participate in the benefits of the schemes.

45. The industries other than Co-operative Societies with the largest numbers of schemes in 1938 were—Gas, Water and Electricity Supply; Merchants, Warehousemen and Retail Traders; Metal, Engineering and Shipbuilding; Paper and Printing; Food and Drink.

46. The principal types of Profit-sharing schemes are:

(1) "Share Issue" schemes, i.e., schemes consisting in the issue to employees of share capital, either free, or on specially favourable terms.

(2) "Deposit" schemes, i.e., schemes under which interest, varying with the profits, is allowed on deposits made by employees.

(3) Bonus paid in shares or invested in the capital of the undertaking.

(4) Bonus retained in a provident, superannuation or other similar fund.

(5) Bonus paid in cash or credited to a savings or deposit account.

(6) Bonus paid by combinations of the above systems or in other ways.

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## Section XI

### THE OFFICIAL COST OF LIVING INDEX

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1. The official cost-of-living index figures were instituted in the early stages of the war of 1914-18, with a view to measuring the percentage increase month by month in the cost of maintaining



unchanged the standard of living prevailing among working-class households in July, 1914. For this purpose, regular inquiries were undertaken in order to obtain particulars of the changes in the retail prices of a wide selection of the principal items of working-class family expenditure. From these particulars, the average percentage increases (a) since the beginning of the previous month and (b) since July, 1914, in the prices of all the items combined, were then computed month by month, allowance being made in the calculations for the varying importance of the different items included. Corresponding averages showing the general percentage increases as compared with the preceding month and with July, 1914, have since been regularly computed on the same basis, and published in the monthly issues of the "Ministry of Labour Gazette," and have become known as the cost-of-living index figures.

2. The index is designed to measure the average percentage changes in the retail prices of a fixed list of commodities and services bought by working-class households. It does not purport to reflect changes in expenditure resulting from alterations in supplies or consumption. Every issue of the "Ministry of Labour Gazette," in which the latest figures are published, contains a statement explaining that "The result of this calculation (in which the same quantities and, as far as possible, the same qualities of each item are taken at each date) is to show the average percentage increase in the cost of maintaining unchanged the standard of living prevailing in working-class families prior to August, 1914, *no allowance being made for any changes in the standard of living since that date, or for any economies or readjustments in consumption and expenditure since the outbreak of the war.*"

### ITEMS INCLUDED IN THE STATISTICS

3. The items included in the statistics fall into five main groups, *viz.*, food, rent, clothing, fuel and light, and certain other items. The prices used for the statistics are in all cases the retail prices. The statistics of wholesale prices published by the Board of Trade are an entirely different compilation. It will be convenient to consider each of the five main groups of items separately.

#### I. FOOD

##### Collection of Information.

4. The foodstuffs included in the statistics are beef, mutton, bacon, fish, flour, bread, potatoes, tea, sugar, milk, butter, margarine, cheese, and eggs. Before the war, these accounted for about two-thirds of working-class family expenditure on food, and in normal times the inclusion of a greater number of articles of relatively minor importance would not materially affect the index figures. The most important items omitted are fruit and vegetables (other than potatoes) which could not have been included in a monthly series of retail prices index numbers, owing to the wide variations in quality, the "seasonal" variations in supplies, and the consequent impossibility of obtaining continuous and comparable records of prices.



5. Information as to the predominant retail prices of the above articles of food is collected at the beginning of each month,\* by Local Offices of the Ministry of Labour and National Service, from representative retailers (including co-operative societies, large "multiple" firms, and private shopkeepers) conducting a working-class trade. Information is obtained in all towns with a population exceeding 50,000 at the census of 1911, and in a representative selection of over 400 smaller towns and villages distributed throughout Great Britain and Northern Ireland; altogether in over 500 towns and villages. In all, information as to prices of food is collected from some thousands of retailers, many of whom have a number of shops at which identical prices are charged.

#### **Compilation of Statistics.**

6. The local officers of the Ministry summarise the information obtained in their districts and forward statements showing, for the articles of food included, the predominant prices being charged by the retailers supplying particulars at the current date and the amount of the change in such predominant prices since the previous report. Both these sets of figures are tabulated in the Department, and the reports and tabulation sheets are carefully scrutinised. If this scrutiny reveals discrepancies or apparent inaccuracies needing further explanation, such supplementary inquiries as may be necessary are made in order that the figures may be verified or corrected. The columns of tabulation are then added, and the average price of each article is arrived at, separately for large towns† (those with populations over 50,000) and for smaller places, by taking the unweighted arithmetical average in each case (i.e. the figures tabulated for each item are added together and divided by the total number of entries). A calculation is then made of the percentage change in the price of each article, as shown by comparing the average price for the current date with that for July, 1914. The percentage for the country as a whole is obtained for each article by taking the arithmetic mean (i.e. the middle point) between the percentage for the large towns and that for the smaller places.

7. The average percentage change in the price of each separate article of food having thus been computed, these percentages are then combined so as to obtain a single figure representing the general average increase in food prices since July, 1914. The individual percentages vary considerably, milk, for example, having increased in price at 1st June, 1944, by 154 per cent. and bread by 55 per cent., on average. As very different proportions of income are spent on milk, bread and other items, it would not be correct simply to add together the percentages shown for these items and divide by the number of items. It is necessary to allow for the difference in the importance of each item in the

\* As regards some articles of food for which uniform prices have been established as a result of control of supplies and prices by the Ministry of Food, inquiries are at present (June, 1944) being made less frequently than once a month. As regards tea, application is made to retailers direct from the Ministry of Labour and National Service through the post.

† Separate returns are obtained for different districts in the Metropolitan Area, and by this means London is given its appropriate weight in the statistics.



1914 budget, and this is done by multiplying each percentage by a number (generally described, for convenience, as a "weight") based on the relative importance of the several articles and dividing the sum of the products by the sum of these "weights." The "weights" used are as follows: beef 48, mutton 24, bacon 19, fish 9, flour 20, bread 50, tea 22, sugar 19, milk 25, butter 41, cheese 10, margarine 10, eggs 19, potatoes 18, making a total of 334.

8. These "weights" were based on the average expenditure shown by 1,944 urban working-class family budgets collected by the Board of Trade in 1904. Between 1904 and 1914, the changes in the consumption of these articles of food were generally small, and were largely counterbalanced by changes in price-level, with the result that the proportion of income spent on the different commodities was not materially altered\* except as regards margarine for the increased consumption of which a special allowance was made.

9. The following table illustrates the arithmetical process by which the general average for *food* is computed from the percentage increases for the several items. The percentages given are those obtained from the returns for 1st June, 1944.

(1) Article	(2) Average expenditure on these articles in Budgets of 1904	(3) "Weights" proportional to such expenditures	(4) Percentage Increase in prices between July, 1914, and 1st June, 1944	(5) Result of multiplying (3) by (4)
	s. d.			
Beef ...	2 5½	48	52	2,496
Mutton ...	1 2¾	24	41	984
Bacon ...	11½	19	102	1,938
Fish ...	5½	9	174	1,566
Flour ...	1 0¼	20	63	1,260
Bread ...	2 6¾	50	55	2,750
Tea ...	1 1½	22	85	1,870
Sugar ...	11¾	19	94	1,786
Milk ...	1 3¼	25	154	3,850
Butter ...	2 1½	41	40	1,640
Cheese ...	6½	10	51	510
Margarine ...	—	10	3	30
Eggs ...	1 0	19	60	1,140
Potatoes ...	11	18	41	738
Total ...	16 7¾†	334	—	22,558

"Weighted" Average increase =  $22,558 \div 334 = 68$  per cent.

\* This was confirmed by the "Sumner" Cost of Living Committee of 1918, who reported that it was fairly certain that "between 1904 and 1914... no considerable changes took place in the mode or standard of living."

† Excluding margarine, for which a "weight" of "10" (see the third column in the Table) was used, derived from statistics of production and imports. The total expenditure shown relates, of course, only to the articles specified. For all items of food, the average expenditure in the 1904 budgets was 22s. 6d. (As regards articles omitted, see paragraph 4 under "Food.")



10. In view of some misconceptions which have arisen as to the "basis" of the index figures, it is worthy of emphasis that the real basis of the monthly variations recorded is the ascertainment of prices which is carried out every month. It will be apparent from the foregoing illustration that the budgets were used only to determine the numerical "weights" or multipliers, which are applied to the percentage increases in the prices of the individual items of food, in order to arrive at an index figure representing the average percentage increase in all the items combined.

## II. RENT

### Collection of Information.

11. The information collected relates to the changes in the rents, inclusive of local rates and water charges, of unfurnished dwellings of the types usually occupied by working-class families.

Up to September, 1939, the rents of the great majority of working-class dwellings built before 1914 were subject to the control of the Rent and Mortgage Interest Restrictions Acts of 1920 to 1938, the general effect of which was to restrict the increases in the inclusive rents to an amount equivalent to the excess of the rates and water charges over those of August, 1914, and an addition of 40 per cent. of the 1914 net rents (exclusive of local rates and water charges).<sup>\*</sup> Under certain provisions of the Acts, however, a substantial proportion of these dwellings (estimated at about 25 per cent.) had become de-controlled by 1939. Until 1928 the proportion of working-class dwellings de-controlled was very small and the Department's statistics of changes in rents were based on controlled rents only; after that date, de-controlled rents also were taken into account.

12. The information collected up to September, 1939, accordingly fell under two headings, *viz.*, that relating to controlled and that relating to de-controlled rents. In respect of controlled rents, inquiries were made, usually at half-yearly intervals corresponding with the rating periods, of officials of Local Authorities and of associations of property owners in 38 large towns, as to the amounts of increase permissible for working-class tenancies of various rentals, and as to the extent to which these increases had been applied. In respect of de-controlled rents, information was collected from the same sources, and from house agents, in the 38 towns, as to the proportions of working-class tenancies which had become de-controlled, and as to the amounts by which de-controlled rents exceeded the controlled rents for similar dwellings.

### Compilation of Statistics.

13. As regards controlled rents, the particulars collected as to the amounts of increase permissible under the Acts in the various towns were then tabulated, and from these figures the average percentage of permissible increase over the 1914 rents was computed in respect of the 38 towns combined (regard being had, in the calculation of this average, to the varying importance of

<sup>\*</sup> The Acts also provide that the rent may be increased in cases where structural alterations or improvements have been made.



the different towns, on a population basis, and to the estimated proportions of controlled dwellings in the various towns). This average percentage of permissible increase was then adjusted, on the basis of the information obtained in the returns, to make the necessary allowance for cases in which the increases had not been imposed to their full extent. As regards de-controlled rents, the particulars obtained were summarised to show the average percentage by which de-controlled rents had risen above the controlled rents for similar dwellings; and by relating this figure to the average percentage increase in controlled rents (ascertained as indicated above) the average percentage increase in de-controlled rents over the rents of corresponding dwellings in 1914 was obtained. A final index figure, representing the average percentage increase in working-class rents generally, since 1914, was then computed by applying to the separate percentages for controlled and de-controlled rents, respectively, "weights" corresponding with the proportions of dwellings in the two categories as indicated by the results of the inquiries on this subject, referred to above.

14. The particulars given above describe the procedure which was followed in compiling the index number relating to changes in working-class rents up to the outbreak of war in September, 1939. Since that date, the rents of all the houses covered by the statistics (including those which had previously been de-controlled) have been subject to further control under the Rent and Mortgage Interest Restrictions Act, 1939. As regards the rents of houses which at that date were already controlled under previous Acts, the effect of this Act has been to continue the previous control, under which increases in the inclusive rents (i.e. rents including rates and water charges) are restricted to an amount equivalent to the excess of the rates and water charges over those of August, 1914, together with an addition of 40 per cent. of the net rents (i.e. rents excluding rates and water charges) of August, 1914\*. As regards houses which had been de-controlled prior to September, 1939, and as regards houses (other than Local Authority houses) built since April, 1919, which had not hitherto been controlled, the general effect of the Act of 1939 is to provide that the maximum permissible rent shall be the rent at 2nd September, 1939, subject to increases equivalent to any subsequent increases in rates and water charges\*. Since September, 1939, therefore, movements in the maximum permitted rents have been dependent on movements in rates and water charges (the addition of 40 per cent. of net rents of 1914, referred to above, having been generally embodied in inclusive rents before 1939).

15. Accordingly, the Department has regularly made inquiries of Town Clerks, in the 38 large towns referred to, as to the current rates and water charges; and where alterations in the rates and water charges have resulted in changes in the maximum permitted rents, particulars have been obtained as to the extent

\* See footnote on previous page.



to which such changes have affected the rents actually charged. From the information thus collected, the average percentage changes in the general level of rents during the period since September, 1939, have been computed on the lines previously followed in the calculation of the average percentage changes in controlled rents, as indicated above.

### III. CLOTHING

#### Collection of Information.

16. In order to provide a basis for estimates of the average percentage changes in the prices of clothing, information is collected as to the movements of retail prices of men's suits and overcoats (ready-made and bespoke), woollen and cotton materials, underclothing and hosiery\*, and boots and shoes. The statistics relate to those descriptions of the various articles which are most generally bought by working-class households, i.e. to relatively low-priced or medium-priced grades. The information now collected includes particulars of the prices of "utility" materials, garments, and footwear.

17. Inquiry forms are completed each month by more than 200 representative outfitters, drapers, and boot retailers in over 80 towns. Some of these retailers have large numbers of branches. The descriptions of articles for which quotations are given vary with different retailers, but before the form is despatched to a retailer the prices quoted by him at the previous inquiry are entered on it, and he is asked to enter the current prices for the same articles and qualities as before, or for the most nearly corresponding articles and qualities (with a note if the current quotation does not relate to the same article or quality as the price previously quoted).

#### Compilation of Statistics.

18. For other commodities, e.g. food-stuffs, the predominant prices are averaged and this average forms the basis of the final figures. For articles of clothing, however, the range of prices and qualities is so wide that this method is unsuitable. The method adopted, therefore, is to compute separately the percentage change shown by each quotation during the month, to average these percentages for each article, and thence to calculate the average percentage increase since July, 1914, by linking up these figures with those obtained for earlier dates. In the course of these calculations, account is taken of the prices of "utility" goods (in the proportions in which such goods are being sold), which have

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\* The clothing materials, underclothing, and hosiery in respect of which particulars of prices are regularly collected are costume cloth, tweed, serge, frieze, flannel, flannelette, calico, longcloth, cotton shirting, print, zephyr, sateen, drill, woollen vests (men's and women's), woollen pants, men's socks and women's stockings.



generally been lower than those of non-utility goods of corresponding quality\*. So far, however, as non-utility goods are still being bought by working-class households, they are included in the calculations. The resultant average changes for the several articles are then collected into six groups, as follows:—(1) men's suits and overcoats, (2) woollen material for women's outer garments, (3) woollen underclothing and hosiery, (4) cotton material for women's outer garments, (5) cotton underclothing material and hosiery, (6) boots and shoes. The percentage change for each such group is then arrived at by taking the average of the percentage changes for the constituent articles, allowance being made in group (1) for the difference in the relative importance of ready-made and bespoke clothing, and of suits and overcoats.

19. The information collected includes particulars of the prices of materials for clothing, partly because comparative prices of materials can be obtained over a long period with a greater measure of accuracy and partly because some families buy materials and either arrange for making-up or make them up at home. Information as to the charges for making-up is obtained by special inquiry of dressmakers with a working-class trade, and in utilising the prices of materials the percentage increases shown by groups (2) and (4) are combined with the percentage increase in the charges for making-up, by giving in each case a "weight" of 3 for the material to 1 for the cost of making-up. In arriving at these "weights" of 3 and 1, allowance has been made for the fact that in some cases the garments are made up at home; where this is done the increase in the cost of the material, of course, closely represents the increase in the cost of the garment.

20. The final percentage, representing the general increase in the retail prices of clothing, is computed by averaging the figures for the six groups—those for groups (2) and (4) being first modified on account of the cost of making up materials—the relatively greater importance of group (1) and the smaller importance of group (4) being recognised by giving a "weight" of  $1\frac{1}{2}$  to group (1) and a "weight" of  $\frac{1}{2}$  to group (4), compared with a "weight" of 1 for each of the other four groups.

21. It will be recognised that owing to the wide range of prices for different grades of clothing, to the frequent changes in qualities and in the stocks held by individual retailers, and to the variations in the extent to which different articles and qualities are affected by price-changes, it is not possible to make exact calculations of the average percentage changes in prices of clothing over long periods. The percentages arrived at by the method of averaging

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\* In this connection it may be observed that purchase tax is at present (June, 1944) chargeable on clothing materials, garments and footwear (other than children's garments and footwear) but not on "utility" materials, garments or footwear.



described above, therefore, should be regarded only as providing a broad indication of the general course of prices of the grades of clothing mainly bought by working-class households.

#### IV. FUEL AND LIGHT

##### Collection of Information.

22. The items included in this group are coal, gas, lamp oil, candles, and matches. Statements as to the retail prices of coal have been obtained each month, through the post, from coal merchants and other informants\* in 29 of the principal towns; and statements as to the prices of gas are obtained, each month, from gas undertakings in 24 of the principal towns. Returns as to the prices of lamp oil, candles and matches are obtained from considerable numbers of retailers in various towns. When an inquiry form is despatched the prices returned at the previous inquiry are always shown, so as to ensure that the quotations for the current month shall be comparable with those previously supplied.

##### Compilation of Statistics.

23. The prices quoted are tabulated and average prices are then arrived at by totalling the quotations and dividing by the number of entries. A computation is then made of the percentage increase shown by the current average price of each article over the corresponding average prices of the previous month and of July, 1914. The percentage increases since July, 1914, are combined into a general average for fuel and light by "weighting" them in accordance with their approximate relative importance in working-class family expenditure in 1914, the proportions taken being 6 for coal, 3 for gas, and 0.7 for oil, candles and matches together.

#### V. OTHER ITEMS

##### Collection of Information.

24. The items included in the statistics under this heading are soap and soda; domestic ironmongery, brushes and pottery†; tobacco and cigarettes; fares; and newspapers. Of these, the prices of soap and soda, ironmongery, brushes and pottery are ascertained, through the post, from a representative selection of retailers. For tobacco and cigarettes quotations are taken from manufacturers' retail price lists. Particulars of changes in railway fares are obtained from the railway companies and from the Ministry of War Transport, and particulars of changes in tramway or omnibus fares are obtained from the principal undertakings. The prices of daily and weekly newspapers are taken from the Press.

\* Since 1939, particulars have been obtained from the Local Fuel Overseers.

† Including saucepans, kettles, frypans, bowls, pails, scrubbing brushes, banister brushes, brooms, cups and saucers, plates, basins, dishes, jugs and tea-pots.



### Compilation of Statistics.

25. For soap, soda, and tobacco the quotations are tabulated and added, the totals so obtained are divided by the number of quotations, and the resultant averages are compared with 1914 averages, similarly obtained, in order to arrive at the average percentage increase. For ironmongery, brushes and pottery, for which the actual prices vary considerably according to the description of article, the method adopted is similar to that followed in dealing with clothing prices, referred to above, the percentage change shown by each quotation being computed and all the percentages for each article being then added and averaged. A similar method is adopted for newspapers. For railway fares the average percentage increase is calculated from particulars supplied by the railway companies and the Ministry of War Transport, ordinary third-class fares and workmen's fares being taken into account. For tramway and omnibus fares comparison is made of the cost, in 1914 and at the current date, of travelling various distances, account being taken of both workmen's fares and ordinary fares.

26. The percentage increases so ascertained for each of the items in the group are then combined in order to obtain a figure representing the average increase in the prices of these items, taken as a whole, the "weights" used for this purpose being as follows:—soap  $3\frac{3}{4}$ ; soda  $\frac{3}{4}$ ; domestic ironmongery, brushes and pottery  $2\frac{1}{2}$ ; tobacco and cigarettes 4; fares 6; newspapers 3.

### COMBINATION OF ALL ITEMS INCLUDED

27. In order to arrive at a single figure representing the increase since July, 1914, in the prices of all the items taken together, the average percentage increases under each of the main groups of expenditure referred to above are combined in accordance with their estimated relative importance in average working-class expenditure in 1914, the "weights" used being as follows:—food  $7\frac{1}{2}$ ; rent (including rates) 2; clothing  $1\frac{1}{2}$ ; fuel and light 1; other items included  $\frac{1}{2}$ . In other words, the percentage increase ascertained for food is multiplied by  $7\frac{1}{2}$ , that for rent by 2, and so on with the other groups; the results are added together, and the total is divided by  $12\frac{1}{2}$  (the sum of the multipliers or "weights"). The effect is to obtain approximately the average percentage increase since 1914 in the cost of maintaining unchanged the standard of living prevailing among working-class households at that date.

28. As regards the basis of these "weights", the budgets collected in 1904, to which reference has been made above, showed that, on the average, 22s. 6d. out of a family income of 36s. 10d. per week was spent on food, or about three-fifths of the total. Between 1904 and 1914 there were almost equal increases, on the average, in prices and wages, and it is unlikely that expenditure on food in 1914 would have varied materially from three-fifths of



the total expenditure on all the items included in these statistics. The total "weight" allotted to food is, therefore, three-fifths of the total of  $12\frac{1}{2}$ , i.e.  $7\frac{1}{2}$ .

29. Information as to rents, which was obtained in the course of an inquiry made in 1912, showed that the average working-class rent in the industrial towns was about 5s. 6d. to 6s. per week. In 1914 it was a little higher—probably about 6s. per week.\* That is to say, the proportion which rent formed of the total weekly family expenditure on the items included in these statistics amounted to between one-sixth and one-seventh, and the "weight" taken for rent is accordingly 2 (out of the total of  $12\frac{1}{2}$ ).

30. As regards clothing, there are wide variations in the expenditure of different types of working-class households, but such information as was available in 1914 showed that expenditure on clothing was usually less than that on rent. In the absence of exact statistics expenditure on clothing by working-class families was estimated to average about 4s. 6d. to 5s. a week, corresponding with a "weight" of about  $1\frac{1}{2}$  (out of a total of  $12\frac{1}{2}$ ).

31. For fuel and light also there are no extensive statistical data as to expenditure in 1914, but the available information indicates that the average expenditure was probably about 2s. 9d. to 3s. a week, which yields a "weight" of 1 (out of a total of  $12\frac{1}{2}$ ). The "weight" of  $\frac{1}{2}$  for the other items included was taken as fairly representing average expenditure on those particular items.

32. It will be seen that the "weights" used in computing the final index figure are proportional to the estimated expenditure in 1914. If a calculation is designed, as the present index was designed, to show the average percentage increase in the cost of maintaining the 1914 standard of living, the "weights" to be applied to the percentage increases over the 1914 level must be based on expenditure at that date. A simple arithmetical experiment will show that if the percentage increases which are to be averaged are percentages of the 1914 prices the correct result can only be obtained by using "weights" proportional to expenditure in 1914.

### PROPOSALS FOR A REVISION OF THE BASIS OF THE INDEX

33. For some years before the war, it had been officially recognised that in view of the changes which had taken place in working-class standards of living since 1914, the list of items of which account is taken in the index, and the "weights" used in the calculations, were in need of revision; and in April, 1936, the Minister of Labour (Mr. Ernest Brown, M.P.) announced in the House of Commons that an inquiry was to be instituted in order to obtain the information, as to the current distribution of working-

\* In some towns, notably London, the rents paid were considerably higher than the amounts stated, whilst in others they were appreciably lower.



class expenditure, required for the purpose of these revisions. A Committee was appointed to advise the Department as to the methods by which this information should be obtained, and in 1937-38 a comprehensive inquiry was undertaken on lines approved by the Committee, budgets giving details of expenditure in each of four weeks at quarterly intervals being obtained from more than 10,000 working-class households distributed over the United Kingdom. A summary of the information so obtained was published in the issues of the "Ministry of Labour Gazette" for December, 1940, and January-February, 1941. This information, however, related to expenditure under peace-time conditions and was not, therefore, suitable to serve as a basis for a cost-of-living index in the changing circumstances created by the war. Further action as to the revision of the existing index had accordingly to be deferred pending the restoration of less abnormal conditions.

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## Section XII

### THE INTERNATIONAL LABOUR ORGANISATION

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#### CONSTITUTION AND OBJECTS

1. The International Labour Organisation is an association of States, controlled by representatives of Governments and of Employers' and Workers' Organisations, and financed by Governments. It was set up in 1919 by Part XIII of the Treaty of Versailles.

2. The purpose of the International Labour Organisation is to promote social justice throughout the world. To this end it collects facts about labour and industrial conditions and formulates minimum international standards. It aims at eliminating international trade rivalries due to bad social conditions, and thus at making social progress more general and more sure.

3. The machinery of the Organisation consists of the International Labour Conference, the Governing Body, which has set up International Commissions and Committees, and the International Labour Office.

#### The International Labour Conference.

4. Each State Member of the Organisation is entitled to be represented by four delegates at the International Labour Conference, which meets at least once a year under normal conditions. Two of the delegates represent the Government, while the other two represent respectively the employers and workers of their country. Each delegate may be accompanied by not more than two technical advisers for each item on the agenda of the Conference. Non-Government delegates and advisers must be chosen by the Government in agreement with the most representative organisations of employers or workers, where such exist, in the country concerned. The agenda of the Conference is determined by the Governing Body (see paragraph 8).



5. Proposals accepted by the Conference may take the form of draft Conventions or Recommendations. Draft Conventions and Recommendations must be adopted by a two-thirds majority of the delegates present at the Conference. Draft Conventions must be submitted by the Government of each State Member within a year (or eighteen months in exceptional cases) to the competent authority—usually the Parliament—of that State for consideration with a view to the possibility of ratifying them and of adopting any necessary legislation. Conventions become binding between the States which ratify them. A State which has ratified a Convention is under an obligation to see that its own law and practice are in accordance with it and must report every year on the steps taken to give effect to it. Such reports are scrutinised by an International Committee of Experts and by a Committee of the Conference.

Recommendations, like Conventions, must be submitted to the competent authority not, however, with a view to ratification, but with a view to acceptance as constituting principles to be followed in legislation or other action.

6. The Conference may also adopt resolutions by a simple majority vote of the delegates present. Such resolutions constitute expressions of the collective opinion of the Conference, but involve no binding obligation on the Member States.

At the Conference it has also become customary for a general discussion to take place on a report submitted by the Director surveying labour and industrial progress throughout the world in the course of the year. The Conference thus constitutes an international forum for the free and responsible discussion of the principal labour and industrial questions of the day.

7. Maritime questions are discussed by Maritime Sessions of the Conference at which shipowners and seamen are represented, together with the Government Departments concerned. Items are placed by the Governing Body on the agenda of such Maritime Sessions of the Conference only after the advice of the Joint Maritime Commission has been taken. The Joint Maritime Commission is a standing international commission set up by the Governing Body, consisting of equal numbers of representatives of shipowners and seamen together with one representative of the Employers' Group and one representative of the Workers' Group of the Governing Body; the Chairman is the Chairman of the Governing Body.

### **The Governing Body.**

8. The Governing Body, which is the Executive Council of the Organisation, fixes the Agenda of the Conference, determines the expenditure of the Organisation, appoints the Director of the International Labour Office and exercises general supervision over its work. It meets as a rule four times a year.



The Governing Body is composed of 32 members, as follows:

- 16 Government Members (8 of whom are appointed by the States of chief industrial importance and 8 by the other Government delegates at the Conference).
- 8 Employers' Members appointed by the Group of Employers' Delegates at the Conference.
- 8 Workers' Members appointed by the Group of Workers' Delegates at the Conference.

### **International Commissions and Committees.**

9. The Governing Body has set up a large number of International Commissions and Committees to assist in the work of the Organisation. These Commissions and Committees are composed of experts from Government Departments, employers' and workers' organisations, and independent persons, with the addition in certain cases of representatives of international bodies concerned. Some of these Commissions and Committees include representatives of the Governing Body; others do not.

In the first category come the Joint Maritime Commission referred to above and the Permanent Agricultural Committee which consists of representatives of agricultural workers' and employers' organisations, other agricultural experts and representatives of international institutions and organisations dealing with social problems in agriculture. Other Committees in this class are the Committee of Experts on Native Labour, the Committee on Accident Prevention, the Committee on Social Insurance, the Committee on Industrial Hygiene, the Committee on Management (all of which consist of individual experts), the Committee on Salaried Employees (representatives of salaried employees), the Committee on Professional Workers (representatives of international bodies and organisations concerned with professional workers or intellectual co-operation), the Committee on Recreation (experts and representatives of organisations concerned with workers' spare time), the International Development Works Committee (representatives of States which have indicated their willingness to give effect to the Public Works (International Co-operation) Recommendation (No. 50), advisory members and assessors representing international bodies concerned and individual experts) and the Permanent Migration Committee (representatives of all countries which declare themselves interested in the question and decide to join the Committee, together with experts, some representing other international bodies and some chosen by the Governing Body for their special competence with regard to items on the agenda). In 1939 the Governing Body agreed in principle to set up a Textile Tripartite Committee with panels representing the various sections of the industry, but the setting up of the Committee was interrupted by the war.

The Committees in the second category are committees of individual experts without representation of the Governing Body. These



Committees include the Committee of Experts on the Application of Conventions, the Committee of Statistical Experts, the Committee of Experts on Safety in Coal Mines and the Committee on Women's Work. Although there is no standing Committee on Factory Inspection, meetings of Factory Inspectors have been held from time to time.

10. The conclusions of all Commissions or Committees are submitted to the Governing Body which generally authorises the Office to communicate them to Governments and publish them, or to utilise them in preparing questions for consideration by the International Labour Conference. The principal conclusions reached by Committees have been brought together and published by the International Labour Office in the "International Labour Code," pp. 574-745.

11. In the work of these various Committees an active part has been taken by British members. British Government officials, Employers' and Workers' representatives, and other experts work on these international committees in the same spirit as in the advisory committees set up by Ministers in this country. Through the members of these Committees, the contacts of the International Labour Office with Government Departments, employers' and workers' organisations and other bodies concerned are widened and co-operation becomes more effective.

#### **International Labour Office.**

12. The International Labour Office has four main functions. It prepares the agenda of meetings of the Governing Body and the Conference and carries out their decisions. It collects information and conducts research in the whole field of labour, industrial and economic problems coming within the scope of the International Labour Organisation. It maintains relations with workers' and employers' organisations and with other bodies concerned with labour and industrial matters. It supplies information in response to requests from Governments, employers' and workers' organisations and other bodies and individuals and issues a series of periodical and other publications.

### **ACHIEVEMENTS**

13. The work accomplished by the International Labour Organisation since its foundation falls into two main parts:

- (1) the adoption of Conventions and Recommendations and the effect given to them by national legislation and other action; and
- (2) the collection and distribution of information.

#### **Conventions and Recommendations.**

14. At the twenty-six sessions of the International Labour Conference held between 1919 and 1944, 67 Conventions and 73 Recommendations were adopted. These relate to employment and unemployment, hours of work, holidays with pay, the employment



of women, the employment of children and young persons, industrial health, safety and welfare, social insurance, colonial labour policy, conditions of employment at sea, migration questions, statistics, etc. A list indicating the main principles embodied in each of the Conventions is given in Appendix VII. These International Labour Conventions and Recommendations form what is frequently known as the International Labour Code. Their provisions, which constitute general standards of social policy, have been published in systematic and convenient form in "The International Labour Code."

The total number of ratifications of International Labour Conventions is now about 900. Some 50 countries have ratified one or more Conventions. Prior to the war the Office published every quarter a chart showing the exact position with regard to ratification and application of Conventions of each State Member of the Organisation.

### **Collection and Distribution of Information.**

15. Importance has always been attached by the International Labour Office to the collection and distribution of accurate and impartial information on labour and industrial matters. It obtains information not only from the Governments of Member States and from employers' and workers' organisations of these countries but also through the network of its own Branch Offices and national correspondents in a large number of countries. The information received is analysed and classified and is available either for use in replying to inquiries or for issue in the various publications of the Office. Prior to the war, these publications included a weekly publication "Industrial and Labour Information," a monthly "International Labour Review", an "Official Bulletin" appearing at irregular intervals, a "Legislative Series" containing reprints and translations of the principal Acts and regulations of all countries concerning labour, an annual "I.L.O. Year Book," reviewing labour legislation and social and economic trends throughout the world, a "Year Book of Labour Statistics," and also other publications in the field of industrial hygiene, industrial safety, etc. Special studies and monographs were also published in a series of "Studies and Reports." Most of these periodical publications and studies have been maintained throughout the war.

### **RELATIONSHIP WITH BRITISH EMPLOYERS AND WORKERS**

16. Throughout the history of the International Labour Organisation close contact has been maintained between the Office and British employers and workers. The British employers' and workers' delegates and advisers to the International Labour Conference, nominated by the Government in agreement with the British Employers' Confederation and the Trades Union Congress respectively, have taken a prominent part in the work of all sessions of the International Labour Conference. The Employers' and



Workers' Groups on the Governing Body have always included a British Employers' representative and a British Workers' representative. The present (June, 1944) representatives (Sir John Forbes Watson and Mr. J. Hallsworth) are chairmen of the Employers' and Workers' Groups respectively of the Governing Body.

17. British employers and workers with their long experience of collective negotiation have been able to play a very important role in leading to the successful conclusion of difficult international discussions in the International Labour Conference, on the Governing Body and on Committees.

### WAR-TIME DEVELOPMENTS

18. The intensification of the war in 1940 necessitated the transfer of the working centre of the International Labour Office from Geneva to Montreal, rendered it difficult to hold meetings of the Conference, Governing Body or Committees and imposed various other restrictions on the activities of the Organisation. In spite, however, of all these difficulties, the International Labour Organisation has continued to function actively.

19. In 1941, a Conference of the International Labour Organisation was held in New York and Washington, at which 34 States Members of the Organisation were represented. At this Conference resolutions were adopted entrusting to the Organisation the duty of giving authoritative expression to the social objective in the rebuilding of the post-war world on the basis of the Atlantic Charter.

20. In 1942, a meeting of the Emergency Committee of the Governing Body was held in London at which decisions were taken on the effect to be given to the resolutions adopted at the New York/Washington Conference. At this meeting the Minister of Labour and National Service (Mr. Ernest Bevin) said:

"One of the most encouraging things in this great struggle has been that, notwithstanding the fact that the League itself has been weakened and almost set on one side, the International Labour Office has survived as an active organism and medium which is holding together important forces, and what I think may prove to be forces destined to play a tremendous part, not only in asserting the imperative necessity of a victory by the forces of liberty, but in rebuilding the world of the future."

21. In 1943, the Governing Body met in London and decided that the 26th Session of the International Labour Conference should be held in the United States, probably in Philadelphia, in April, 1944, with an agenda including the following items:—(1) future policy, programme and status of the International Labour Organisation; (2) recommendations to the United Nations for present and post-war social policy; (3) the organisation of employment in



the transition from war to peace; (4) Social Security; principles, and problems arising out of the war; (5) minimum standards of social policy in dependent territories.

22. In 1944, the 26th Session of the International Labour Conference met in Philadelphia. Forty-one States Members of the Organisation were represented and in addition three non-member States sent representatives. The Conference adopted a Declaration concerning the Aims and Purposes of the International Labour Organisation in which it (a) reaffirms the fundamental principles on which the Organisation is based; (b) declares that it is a responsibility of the International Labour Organisation to examine and consider all international economic and financial policies and measures in the light of the fundamental social objective defined in the Declaration and that in discharging the tasks entrusted to it the Organisation, having considered all relevant economic and financial factors, may include in its decisions and recommendations any provisions which it considers appropriate; (c) recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve a series of aims enumerated in the Declaration; (d) pledges the full co-operation of the International Labour Organisation with such international bodies as may be entrusted with a share of the responsibility for securing the fuller and broader utilisation of the world's productive resources and for the promotion of the health, education and wellbeing of all peoples; and (e) affirms that the principles set forth in the Declaration are fully applicable to all peoples everywhere and that while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilised world.

In addition, the Conference adopted seven Recommendations and a large number of resolutions.

The International Labour Organisation is thus preparing to play an active part in post-war reconstruction and it is the declared desire of the British Government to associate the Organisation wherever practicable with such work.

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### Section XIII

#### **STANDING JOINT COUNCILS, COMMITTEES, ETC., ESTABLISHED BY VOLUNTARY AGREEMENT**

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##### **Prefatory Note.**

1. This Section contains a list of the Standing Joint Councils, Committees and similar bodies which have been established by voluntary agreement in various industries to provide machinery for negotiation, collective bargaining and the settlement of disputes,



and not infrequently the discussion of other matters of common interest.

It should be noted, however, that the settlement of wages and conditions of employment by joint negotiation between organisations of employers and workpeople is not necessarily dependent on the existence of voluntary standing joint machinery. In a number of major industries there is no such machinery but there is a recognised procedure of negotiation established by custom or practice or by formal agreement. In addition, there is a number of industries in which, because of lack of effective organisation of employers and workpeople, provision has been made for the regulation of wages by statutory bodies described variously as Trade or Wages Boards, which include representatives of the two sides of the industry with the addition of an independent element.

2. Broadly speaking, the three forms of machinery of negotiation, i.e. (i) standing joint bodies covered by this section (ii) a procedure of negotiation established by agreement, custom or practice, and (iii) statutory wage regulation machinery, cover the whole industrial field. The decisions of statutory bodies which are mainly concerned with the fixation of minimum terms and conditions of employment must be observed by all employers concerned. Agreements reached by voluntary machinery are theoretically applicable only by the organised employers party to the agreements, but in practice such agreements are followed in many industries by a large number of employers other than those party to the agreements. It should be noted that in some industries covered by statutory machinery there are also in operation voluntary agreements providing terms and conditions more favourable than the statutory minima. Typical examples of voluntary machinery of both kinds are described in Section III of the Handbook and statutory wage regulation is dealt with in Section VIII.

3. Standing bodies in this list to which the description "J.I.C." is attached are constituted in accordance with the recommendations of the Whitley Committee. The addition of an asterisk (\*) to J.I.C. (J.I.C.\*) denotes that the Council does not deal with wages.

4. Bodies marked † are national bodies with which are associated regional, district or local bodies forming an integral part of the joint machinery of the industry.

5. The titles of certain Trade Unions represented on a number of Councils are indicated by initials as follows:—

Amalgamated Engineering Union ... ..	A.E.U.
Electrical Trades Union ... ..	E.T.U.
National Union of Distributive and Allied Workers ... ..	N.U.D.A.W.
National Union of General and Municipal Workers ... ..	N.U.G.M.W.
National Amalgamated Union of Shop Assist- ants, Warehousemen and Clerks ... ..	N.A.U.S.A.
Transport and General Workers' Union ...	T. & G.W.U.



## GOVERNMENT SERVICE

### CIVIL SERVICE, ADMINISTRATIVE AND LEGAL DEPARTMENTS

#### National Whitley Council for the Administrative and Legal Departments of the Civil Service. (J.I.C.)

*Official Side.* Persons of standing (who may or may not be Civil Servants) including at least one representative of the Treasury and one representative of the Ministry of Labour and National Service.

*Staff Side.* Persons of standing (who may or may not be Civil Servants) appointed by the undermentioned Groups of Staff Associations:—Post Office group of Assns. Civil Service Alliance. Instn. of Professional Civil Servants. Soc. of Civil Servants. Govt. Minor and Manipulative Grades Assn. Fed. of C.S. Professional and Technical Staffs. Customs and Excise group of Deptl. Organisations. Assn. of Officers of the Ministry of Labour. Assn. of H.M. Inspectors of Taxes.

*Note :* There is in each Government Department a separate Departmental Council allied to the National Council and functioning on similar lines, the Staff Sides comprising representatives of Associations of staffs employed within the Department.

### GOVERNMENT INDUSTRIAL ESTABLISHMENTS

#### Government Departmental Industrial Councils

*(These Councils deal in respect of industrial employees with departmental questions and not with general wages or trade questions, which are appropriate to Government Trade Joint Councils) (see pp. 207-208.)*

**Admiralty. (J.I.C.)** ... *Official Side.* Officials appointed by the Department together with a representative of the Ministry of Labour and National Service.

*Employees' Side.* A.E.U. Amal. Soc. of Woodworkers. Amal. Union of Building Trade Workers. Associated Blacksmiths', Forge and Smithy Workers' Soc. E.T.U. Nat. Union of Foundry Workers of Great Britain and Ireland. N.U.G.M.W. Ship-constructors' and Shipwrights' Assn. T. & G.W.U. United Soc. of Boilermakers and Iron and Steel Shipbuilders.

**Air Ministry. (J.I.C.)** ... *Official Side.* Officials appointed by the Department together with a representative of the Ministry of Labour and National Service.

*Employees' Side.* A.E.U. E.T.U. Nat. Fedn. of Building Trades Operatives. N.U.G.M.W. Nat. Union of Packing Case Makers (Wood and Tin), Box Makers, Sawyers and Mill Workers. Nat. Union of Sheet Metal Workers and Braziers. Nat. Union of Vehicle Builders. T. & G.W.U.

**Stationery Office. (J.I.C.)** *Official Side.* Officials appointed by the Department together with a representative of the Ministry of Labour and National Service.

*Employees' Side.* Various Unions federated to the Printing and Kindred Trades Fedn.

**Ministry of Supply. (J.I.C.)**

*Official Side.* Officials appointed by the Department together with a representative of the Ministry of Labour and National Service.

*Employees' Side.* A.E.U. Confedn. of Shipbuilding and Engineering Unions. E.T.U. Nat. Union of Agricultural Workers. Nat. Fedn. of Building Trades Operatives. Nat. Union of Foundry Workers of Great Britain and Ireland. N.U.G.M.W. Nat. Union of Tailors and Garment Workers. T. & G.W.U.



**Ministry of Works.  
(J.I.C.)**

*Official Side.* Officials appointed by the Department together with a representative of the Ministry of Labour and National Service.

*Employees' Side.* Amal. Union of Upholsterers of Great Britain and Ireland. E.T.U. Nat. Amal. Furnishing Trades Assn. Nat. Fedn. of Building Trades Operatives. Nat. Union of Enginemen, Firemen, Mechanics, Motormen and Electrical Workers (Section of the T. & G.W.U.). N.U.G.M.W. Nat. Union of Operative Heating and Domestic Engineers. T. & G.W.U. United French Polishers' Soc.

**War Department. (J.I.C.)**

*Official Side.* Officials appointed by the Department together with a representative of the Ministry of Labour and National Service

*Employees' Side.* A.E.U. E.T.U. Nat. Fedn. of Building Trades Operatives. N.U.G.M.W. Plumbers', Glaziers' and Domestic Engineers' Union. T. & G.W.U. United Patternmakers' Assn. Wheelwrights' and Coachmakers' Operatives' Union.

**Government Trade Joint Councils**

*(These Councils deal with general wages and trade questions in respect of industrial employees.)*

**Engineering. (J.I.C.) ...**

*Official Side.* Representatives of the main Departments employing industrial work-people; and the Treasury and Ministry of Labour and National Service.

*Employees' Side.* A.E.U. Associated Blacksmiths', Forge and Smithy Workers' Soc. E.T.U. Nat. Union of Enginemen, Firemen, Mechanics, Motormen and Electrical Workers (Section of T. & G.W.U.). N.U.G.M.W. Nat. Union of Packing Case Makers (Wood and Tin), Box Makers, Sawyers and Mill Workers. Nat. Union of Vehicle Builders. Nat. Soc. of Brass and Metal Mechanics. Nat. Soc. of Coppersmiths. Plumbers', Glaziers' and Domestic Engineers' Union. T. & G.W.U. United Patternmakers' Assn.

**Shipbuilding. (J.I.C.) ...**

*Official Side.* Representatives of the main Departments employing industrial work-people; and the Treasury and Ministry of Labour and National Service (but with a large proportion from the various branches of the Admiralty).

*Employees' Side.* A.E.U. Amal. Soc. of Woodcutting Machinists. Amal. Soc. of Woodworkers. Associated Blacksmiths', Forge and Smithy Workers' Soc. E.T.U. Nat. Soc. of Coppersmiths, Braziers and Metal Workers. Nat. Soc. of Painters. Nat. Union of Foundry Workers. N.U.G.M.W. Plumbers', Glaziers' and Domestic Engineers' Union. Shipconstructors' and Shipwrights' Assn. T. & G.W.U. United Soc. of Boilermakers and Iron and Steel Ship-builders.



### Miscellaneous Trades (J.I.C.).

*Official Side.* Representatives of the main Departments employing industrial work-people; and the Treasury and Ministry of Labour and National Service (but with co-opted representatives of other employing Departments as necessary).

*Employees' Side.* N.U.G.M.W. T. & G.W.U. Union of Post Office Workers. Wheelwrights' and Coachmakers' Operatives' Union, (with other Unions co-opted as necessary).

### Joint Co-ordinating Committee for Government Industrial Establishments.

*This Committee deals with general service questions affecting Government industrial employees as a whole).*

### Joint Co-ordinating Com- mittee. (J.I.C.).

*Official Side.* Representatives of the main Departments employing industrial work-people; and the Treasury and Ministry of Labour and National Service.

*Employees' Side.* A.E.U. Associated Blacksmiths', Forge and Smithy Workers' Soc. E.T.U. N.U.G.M.W. T. & G.W.U. United Soc. of Boilermakers and Iron and Steel Shipbuilders, (with other Unions co-opted as necessary).

## LOCAL AUTHORITY (NON-TRADING) SERVICES

### General Non-Trading Services

#### †Local Authorities' Ad- ministrative, Profes- sional, Technical and Clerical Services. Eng- land and Wales. (J.I.C.).

*Employers' Assns. represented.* Representatives from the Employers' Sides of the various Provincial Councils. Assn. of Municipal Corporations. County Councils Assn. Urban Dist. Councils Assn. Metropolitan Boroughs Standing Joint Committee. Rural Dist. Councils Assn.

*Trade Unions represented.* Nat. Assn. of Local Government Officers. N.U.G.M.W. Nat. Union of Public Employees. T. & G.W.U. Representatives from the Employees' Sides of the various Provincial Councils.

#### Local Authority Services. Scotland. Administra- tive, Technical and Clerical Staffs. (J.I.C.).

*Employers' Assns. represented.* Scottish Counties of Cities Assn. Convention of Royal Burghs of Scotland. County Councils Association.

*Trade Unions represented.* Nat. Assn. of Local Government Officers. Clerical and Administrative Workers' Union. Nat. Union of Public Employees. N.U.G.M.W. T. & G.W.U.

#### †Local Authorities' Non- Trading Services. (Manual Workers). Eng- land and Wales. (J.I.C.).

*Employers' Assns. represented.* Assn. of Municipal Corporations. Urban Dist. Councils Assn. Rural Dist. Councils Assn. London County Council. Representatives from the Employers' Sides of the various Provincial Councils. County Councils Assn.

*Trade Unions represented.* T. & G.W.U. N.U.G.M.W. Nat. Union of Public Em-  
ployees.



- Local Authority Services. Scotland. Manual Workers in Non-Trading Departments. (J.I.C.).** *Employers' Assns. represented.* Scottish Counties of Cities Assn. Convention of Royal Burghs of Scotland. County Councils Assn. *Trade Unions represented.* N.U.G.M.W. Scottish Horse and Motormen's Assn. Nat. Union of Public Employees. T. & G.W.U.
- Joint Wages Board of Local Authorities of Monmouthshire and their Employees or Accredited Representatives.** *Employers represented.* Local Authorities of Monmouthshire. *Trade Union represented.* N.U.G.M.W.
- Joint Wages Board of Local Authorities of Glamorgan (Non-Trading Services—Manual Workers).** *Employers represented.* Local Authorities in Glamorgan. *Trade Union represented.* N.U.G.M.W.
- †County Council Roadmen. (J.I.C.).** *Employers' Assns. represented.* Representatives from Employers' Side of each of Regional Councils for County Council Roadmen. County Councils Assn. Employers' Side of National Joint Industrial Council for Local Authorities Non-Trading Services (Manual Workers), England and Wales. *Trade Unions represented.* T. & G.W.U. N.U.G.M.W. Nat. Union of Public Employees. Nat. Union of Agricultural Workers.
- Land Drainage. (J.I.C.)...** *Employers' Assns. represented.* North Western Group of Catchment Boards. Welsh Group of Catchment Boards. Yorkshire and Northumberland Group of Catchment Boards. Nene and East Anglian Group of Catchment Boards. Essex and Lee Group of Catchment Boards. Kent and Sussex Group of Catchment Boards. South Western Group of Catchment Boards. Lincolnshire Group of Catchment Boards. Severn and Wye Group of Catchment Boards. Thames Conservancy Catchment Board. Trent Catchment Board. *Trade Unions represented.* Nat. Union of Agricultural Workers. N.U.G.M.W. Nat. Union of Public Employees. T. & G.W.U.
- Insurance Committees Administrative Technical and Clerical Services. (J.I.C.)** *Employers' Assns. represented.* Nat. Assn. of Insurance Committees. Assn. of Welsh Insurance Committees. London Insurance Committee. *Trade Unions represented.* Assn. of Insurance Committee Officers. Nat. Assn. of Clerks to Insurance Committees. Assn. of Clerks to Insurance Committees (Wales).



## Teaching Services

Burnham Committees on  
Scales of Salaries for  
Teachers. §

Main Committee § ...

*Employers' Assns. represented.* County Councils Assn. Assn. of Municipal Corporations. Assn. of Education Committees. London County Council. Fedn. of Education Committees (Wales and Monmouthshire).

*Trade Unions represented.* Nat. Union of Teachers. Inc. Assn. of Headmasters. Inc. Assn. of Headmistresses. Inc. Assn. of Assistant Masters. Inc. Assn. of Assistant Mistresses. Assn. of Teachers in Technical Institutions.

## Technical Committee §

*Employers' Assns. represented.* County Councils Assn. Assn. of Municipal Corporations. Assn. of Education Committees. London County Council. Fedn. of Education Committees (Wales and Monmouthshire).

*Trade Unions represented.* Assn. of Principals of Technical Institutions. Assn. of Teachers in Technical Institutions. Nat. Assn. of Art Masters. Nat. Fedn. of Continuative Teachers. Nat. Union of Teachers.

Nat. Joint Council to deal  
with Salaries of Teachers  
in Scotland.

*Employers' Assns. represented.* Representatives of the Education Authorities appointed by the Scottish Counties of Cities Assn. and by the County Councils Assn.

*Trade Union represented.* Educational Institute of Scotland.

## Hospital Services

Joint Conciliation Com-  
mittee of the Mental  
Hospitals Assn. and the  
Mental Hospital and  
Institutional Workers'  
Union.

*Employers' Assn. represented.* Mental Hospitals Assn.

*Trade Union represented.* Confederation of Health Services.

Joint Conciliation Com-  
mittee of the Mental  
Hospitals Assn. and the  
Inc. Assn. of Hospital  
Administrators.

*Employers' Assn. represented.* Mental Hospitals Assn.

*Trade Union represented.* Incorporated Assn. of Hospital Administrators.

Joint Conciliation Com-  
mittee for Officers of  
West Riding of York-  
shire Mental Hospitals.

*Employers' Assn. represented.* Representatives of the West Riding of Yorkshire Mental Hospitals Board.

*Trade Unions represented.* Mental Hospital and Institutional Workers' Union (Officers' Branch). Nat. Assn. of Local Government Officers. Assn. of Hospital Administrators.

§ The main committee covers primary and secondary schools and young people's colleges, and the technical committee covers technical, commercial and art colleges and schools. These two committees result from the action of the President of the Board of Education in reconstituting the three Burnham Committees dealing with salaries in public elementary, secondary and technical and art schools, respectively; these three committees are to continue to function for a limited period.



**Joint Conciliation Committee for Staff of West Riding of Yorkshire Mental Hospitals.**

*Employers' Assn. represented.* Representatives of the West Riding of Yorkshire Mental Hospitals Board.

*Trade Union represented.* Confederation of Health Services.

**Nurses' Salaries Committee§ (England and Wales).**

*Employers' representation.* British Hospitals Assn. (in assn. with King Edward's Hospital for London and the Nuffield Trust). County Councils Assn. Assn. of Municipal Corporations. London County Council. Urban Dist. Councils Assn. Rural Dist. Councils Assn. Queen's Institute of Dist. Nursing.

*Trade Union representation.* Royal College of Nursing. Trades Union Congress. Nat. Assn. of Local Government Officers. Royal British Nurses' Assn. Assn. of Hospital Matrons.

**Scottish Nurses' Salaries Committee.†**

*Employers' Assns. represented.* Convention of Royal Burghs of Scotland. Assn. of County Councils in Scotland. Scottish Counties of Cities Assn. Scottish Branches of the British Hospitals Assn. Queen's Institute of Dist. Nursing. Assn. of Royal Mental Hospitals in Scotland.

*Trade Unions represented.* Royal College of Nursing. Scottish Trades Union Congress. Nat. Assn. of Local Government Officers. Scottish Matrons' Assn. Royal British Nurses' Assn.

## OTHER INDUSTRIES, TRADES AND SERVICES

### FISHING.

**Conciliation Board for the Trawling Industry at Hull.**

*Employers' Assn. represented.* Hull Fishing Vessel Owners' Assn. Ltd.

*Trade Unions represented.* T. & G.W.U. N.U.G.M.W. Nat. Union of Seamen.

### MINING AND QUARRYING.

#### Coal Mining.

**†Joint Nat. Negotiating Committee for the Coal-mining Industry.**

*Employers' Assn. represented.* Mining Assn. of Great Britain.

*Trade Union represented.* Mineworkers' Fedn. of Great Britain.

*Note :* This Committee was established under the National Conciliation Scheme for the Coalmining Industry introduced on 1st May, 1943. Together with a National Reference Tribunal, it comprises the National Conciliation Board for the Coalmining Industry. There are District Conciliation Boards in various coalmining districts from which reference may be made to the Joint National Negotiating Committee.

Outside the scope of the National Conciliation Scheme are the following bodies :—

Cumberland Coal Trade Conciliation Board (Overmen, Deputies and Shot Firers).

Joint Committee of the Durham Coal Owners' Association and the Durham (Deputies') Mutual Aid Association.

Joint Committee representing the Lancashire and Cheshire Coal Association and the Lancashire and Cheshire (Colliery Under-Managers' and Under-Lookers') Association.

Board of Conciliation for the Owners and Officials of Collieries in South Wales and Monmouthshire.

§ These joint committees were appointed for England and Wales by the Minister of Health and for Scotland by the Secretary of State for Scotland



**Iron Mining. §**

Nat. Joint Board for the Iron Ore Industry.	<i>Employers' Assn. represented.</i> Nat. Council of Associated Iron Ore Producers. <i>Trade Unions represented.</i> Nat. Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades. N.U.G.M.W.
Joint Committee of the Cleveland Mine Owners' and Miners.	<i>Employers' Assn. represented.</i> Cleveland Mine Owners' Assn. <i>Trade Union represented.</i> N.U.G.M.W. (Cleveland Miners' and Weardale Quarrymen's Section).
Board of Conciliation for the Cumberland Iron Ore Trade.	<i>Employers' Assn. represented.</i> West Coast Hematite Iron Ore Proprietors' Assn. <i>Trade Union represented.</i> N.U.G.M.W. (Northern Dist.).

**Other Mining and Quarrying.**

Board of Conciliation for the Weardale Lead Trade.	<i>Employers' Assn. represented.</i> Representatives of the Weardale Lead Co., Ltd. <i>Trade Union represented.</i> N.U.G.M.W.
† Quarrying, including Sectional Councils for Chalk, † Freestone, † Roadstone, Slate. (J.I.C.).	<i>Employers' Assn. represented.</i> Federated Quarry Owners of Great Britain. <i>Trade Unions represented.</i> N.U.G.M.W. T. & G.W.U. North Wales Quarrymen's Union (Section of T. & G.W.U.). Amal. Union of Building Trade Workers.
Weardale Limestone Joint Committee.	<i>Employers' Assn. represented.</i> Cleveland Mine Owners' Assn. <i>Trade Union represented.</i> N.U.G.M.W.
Board of Conciliation for the West Cumberland Limestone Quarry Trade.	<i>Employers' Assn. represented.</i> West Cumberland Limestone Quarry Owners' Assn. <i>Trade Union represented.</i> Nat. Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades.
Sand and Ballast. (J.I.C.)...	<i>Employers' Assn. represented.</i> The Ballast Sand and Allied Trades Assn. <i>Trade Unions represented.</i> N.U.G.M.W. T. & G.W.U.
Conciliation Board for the Gravel and Sand Industry of the East Midlands.	<i>Employers' Assn. represented.</i> Midlands Gravels Assn. <i>Trade Unions represented.</i> N.U.G.M.W. T. & G.W.U.
Silica Moulding Sands. (J.I.C.).	<i>Employers' Assn. represented.</i> Silica Moulding Sands Assn. <i>Trade Unions represented.</i> N.U.G.M.W. T. & G.W.U.
British Ball Clay. (J.I.C.)	<i>Employers' Assn. represented.</i> British Ball Clay Producers' Fedn. Ltd. <i>Trade Unions represented.</i> N.U.G.M.W. T. & G.W.U.

**TREATMENT OF NON-METALLIFEROUS MINE AND QUARRY PRODUCTS**

Cement. (J.I.C.) ...	<i>Employers' Assn. represented.</i> Cement Makers' Fedn. <i>Trade Unions represented.</i> N.U.G.M.W. T. & G.W.U. Nat. Builders' Labourers' and Constructional Workers' Soc.
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§ For joint committees and boards covering iron ore mining and quarrying and also pig iron manufacture in Lincolnshire, Northamptonshire and Nottinghamshire see under "Iron and Steel Smelting, Rolling, etc"



- Cast Stone and Cast Concrete Products (England and Wales).** (J.I.C.). *Employers' Assns. represented.* Cast Stone and Concrete Fedn. British Cast Concrete Fedn.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W.
- Artificial Stone and Cast Concrete (Scotland)** (J.I.C.). *Employers' Assn. represented.* Scottish Pre-cast Concrete Manufacturers' Assn.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W.
- Coke and By - Products Joint Committee (Monmouthshire and South Wales).** *Employers' Assn. represented.* Monmouthshire and South Wales Coke Ovens and By-Products Workers' Assn.  
*Trade Union represented.* Nat. Union of Cokemen and By-Product Workers (South Wales Dist.).

### MANUFACTURE OF BRICKS, POTTERY, GLASS, ETC.

- Clay.** (J.I.C.) ... *Employers' Assn. represented.* Nat. Fedn. of the Clay Industries.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U.
- Stock Brick.** (J.I.C.) ... *Employers' Assn. represented.* Stock Brick Manufacturers' Assn.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W.
- Nat. Conciliation Board for the Fletton Brick Industry.** *Employers' Assn. represented.* Pressed Brick Makers' Assn. Ltd.  
*Trade Union represented.* T. & G.W.U.
- †Nat. Joint Wages Board for the Refractories Industry.** *Employers' Assn. represented.* Individual Employers.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U.
- Pottery.** (J.I.C.\* ... *Employers' Assns. represented.* British Pottery Manufacturers' Fedn., comprising :—  
British Earthenware Manufacturers' Assn. (Home Trade). English China Manufacturers' Assn. Glazed and Floor Tile Manufacturers' Assn. General Earthenware (Home and Export) Manufacturers' Assn. Staffordshire Potteries Hotel Ware Manufacturers' Assn. British Teapot Manufacturers' Assn. Porcelain Electrical Fittings Assn. Sanitary Earthenware Manufacturers' Assn. Staffordshire Potteries Manufacturers' Assn. (Export Trade). Chemists' Sundries Assn. Fine China and Earthenware Manufacturers' Assn.  
British Sanitary Fireclay Assn. Managers' and Officials' Assn.  
*Trade Unions represented.* Nat. Soc. of Pottery Workers. North Staffordshire Commercial Travellers' Assn.
- Salt Glazed Ware.** (J.I.C.) *Employers' Assn. represented.* Nat. Assn. of Manufacturers of Salt Glazed Pipes and Conduits.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W.
- Swadlincote Dist. Joint Wages Board (Salt Glazed Ware and Fire-clay Goods).** *Employers represented.* Individual employers.  
*Trade Union represented.* T. & G.W.U.



- Glass Container. (J.I.C.)...** *Employers' Assn. represented.* Assn. of Glass Container Manufacturers.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W. U.S.D.A.W. London Glass Bottle Workers' Trade Soc.
- Nat. Joint Wages Board for the General Stone-ware Industry** *Employers' Assn. represented.* Nat. Fedn. of General Stoneware Manufacturers.  
*Trade Unions represented.* Nat. Soc. of Pottery Workers. T. & G.W.U. N.U.G.M.W.

### CHEMICALS, PAINTS, OILS, ETC.

- Chemical. (J.I.C.) ...** *Employers' Assn. represented.* Assn. of Chemical and Allied Employers.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W. U.S.D.A.W.
- Fertilizer. (J.I.C.) ...** *Employers' Assns. represented.* Fertilizer Manufacturers' Assn. Assn. of Chemical and Allied Employers.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U. U.S.D.A.W.
- Gelatine and Glue. (J.I.C.)** *Employers' Assn. represented.* Federation of Gelatine and Glue Manufacturers.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U. Amal. Soc. of Leather Workers.
- Plastics. (J.I.C.) ...** *Employers' Assn. represented.* Assn. of Chemical and Allied Employers.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U.
- Match. (J.I.C.) ...** *Employers' Assn. represented.* Soc. of British Match Manufacturers.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U.
- Paint, Colour and Varnish. (J.I.C.).** *Employers' Assn. represented.* Nat. Fedn. of Associated Paint, Colour and Varnish Manufacturers of the United Kingdom.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U. U.S.D.A.W.
- †Seed Crushing Compound and Provender Manufacturing. (J.I.C.).** *Employers' Assns. represented.* Nat. Seed Crushers' Assn. Provender and Compound Food Manufacturers' Fedn.  
*Trade Unions represented.* T. & G.W.U. U.S.D.A.W. N.U.G.M.W.
- Soap, Candle and Edible Fat. (J.I.C.)** *Employers' Assn. represented.* Soap, Candle and Edible Fat Trades Employers' Fedn.  
*Trade Unions represented.* U.S.D.A.W. T. & G.W.U. N.U.G.M.W.

### MANUFACTURE OF METALS, IMPLEMENTS, JEWELLERY, ETC.

#### Iron and Steel Smelting, Rolling, etc.

- Joint Committee of the Cleveland Ironmasters and Blastfurnacemen, including Coke Oven Workers.** *Employers' Assn. represented.* Iron and Steel Trades Employers' Assn. (North East Coast Blast Furnace and Coke Oven Section).  
*Trade Unions represented.* Nat. Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades.
- Joint Committee of the Iron and Steel Trades Employers' Assn. and the North East Coast Iron and Steel Trades Allied Craftsmen's Committee.** *Employers' Assn. represented.* Iron and Steel Trades Employers' Assn.  
*Trade Unions represented.* A.E.U. United Soc. of Boilermakers and Iron and Steel Shipbuilders. E.T.U. United Patternmakers' Assn.



Lincolnshire Ironmasters', Iron Ore Getters' and Ironworkers' Joint Committee. §	<i>Employers' Assn. represented.</i> Lincolnshire Ironmasters' Assn. <i>Trade Union represented.</i> Nat. Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades.
Midland Iron and Steel Wages Board.	<i>Employers represented.</i> Individual employers. <i>Trade Union represented.</i> Iron and Steel Trades Confedn.
Sliding Scale Joint Committee for the Northamptonshire Iron Mines and Blast Furnaces. §	<i>Employers' Assns. represented.</i> Northamptonshire Blast Furnace Owners' Assn. Northamptonshire and Dist. Mine Owners' Assn. <i>Trade Unions represented.</i> Nat. Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades. N.U.G.M.W.
Board of Conciliation for the Blast Furnace and Ironstone Quarries in the Nottingham Dist. §	<i>Employers represented.</i> Individual employers. <i>Trade Unions represented.</i> N.U.G.M.W. Nat. Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades.
South Wales Siemens Steel Joint Conciliation Board.	<i>Employers' Assn. represented.</i> South Wales Siemens Steel Assn. <i>Trade Union represented.</i> Iron and Steel Trades Confedn.
South Yorkshire Joint Steel Trades Committee Heavy Steel Industry).	<i>Employers' Assn. represented.</i> Iron and Steel Trades Employers' Assn. <i>Trade Unions represented.</i> A.E.U. Associated Blacksmiths', Forge and Smithy Workers' Soc. United Soc. of Boilermakers and Iron and Steel Shipbuilders. Nat. Union of Operative, Heating and Domestic Engineers and General Metal Workers. Nat. Union of Foundry Workers of Great Britain and Ireland. E.T.U.
West Coast Ironmasters' and Blastfurnacemen's Joint Committee.	<i>Employers' Assn. represented.</i> West Coast Ironmasters' Assn. <i>Trade Union represented.</i> Nat. Union of Blastfurnacemen, Ore Miners, Coke Workers and Kindred Trades.
Board of Conciliation for the Regulation of Wages in the Pig Iron Trade of Scotland.	<i>Employers' Assn. represented.</i> Scottish Ironmasters' Assn. <i>Trade Union represented.</i> Iron and Steel Trades Confedn.
Scottish Manufactured Iron Trade Conciliation and Arbitration Board.	<i>Employers' Assn. represented.</i> Scottish Manufactured Iron Trade Employers. <i>Trade Union represented.</i> Iron and Steel Trades Confedn.
Sheet Trade Board ...	<i>Employers represented.</i> Individual employers. <i>Trade Union represented.</i> Iron and Steel Trades Confedn.
Welsh Plate and Sheet. (J.I.C.)	<i>Employers' Assn. represented.</i> Welsh Plate and Sheet Manufacturers' Assn. <i>Trade Unions represented.</i> Iron and Steel Trades Confedn. T. & G.W.U. N.U.G.M.W. A.E.U.

§ These Boards, etc., cover iron-ore miners and quarrymen in addition to blastfurnace workers. For other Boards, etc., covering iron-ore mining and quarrying see under "Iron Mining".



**Engineering**

**Welsh Engineers' and Founders' Conciliation Board.**

*Employers' Assn. represented.* Welsh Engineers' and Founders' Assn.

*Trade Unions§ represented.* A.E.U. E.T.U. United Patternmakers' Assn. Iron and Steel Trades Confedn. T. & G.W.U. N.U.G.M.W. United Soc. of Boilermakers and Iron and Steel Shipbuilders. Nat. Union of Foundry Workers of Great Britain and Ireland. Associated Soc. of Moulders and Foundry Workers. British Roll Turners' Trade Soc.

**Heating, Ventilating and Domestic Engineering. (J.I.C.\*)**

*Employers' Assn. represented.* Assn. of Heating, Ventilating and Domestic Engineering Employers.

*Trade Union represented.* Nat. Union of Operative Heating and Domestic Engineers and General Metal Workers.

**†Electrical Contracting. (J.I.C.)**

*Employers' Assn. represented.* Nat. Federated Electrical Assn.

*Trade Union represented.* E.T.U.

**Electrical Cable. (J.I.C.)**

*Employers' Assns. represented.* Cable Makers' Assn. Independent Cable Makers' Assn.

*Trade Unions represented.* United Rubber Workers of Great Britain. E.T.U. N.U.G.M.W. T. & G.W.U.

**Motor Vehicle Retail and Repairing Trade. (J.I.C.)**

*Employers' Assn. represented.* The Motor Agents' Assn., Ltd.

*Trade Unions represented.* A.E.U. N.U.G.M.W. T. & G.W.U. Wheelwrights and Coachmakers Operatives Union. E.T.U.

**Precious Metals, Jewellery and Plate**

**Master Silversmiths and Gold, Silver and Allied Trades Union Joint Board.**

*Employers' Assn. represented.* Master Silversmiths' Assn.

*Trade Union represented.* Nat. Union of Gold, Silver and Allied Trades.

**Joint Committee for the Diamond Industry.**

*Employers' Assn. represented.* Diamond Manufacturers' Assn.

*Trade Union represented.* Soc. of Goldsmiths, Jewellers and Kindred Trades.

**Other Metal Industries**

**Conciliation Board of the Brass Foundry Trade.**

*Employers' Assn. represented.* Nat. Brassfoundry Assn.

*Trade Union represented.* Nat. Soc. of Brass and Metal Mechanics.

**Galvanising Conciliation Board.**

*Employers represented.* Individual employers.

*Trade Union represented.* T. & G.W.U.

**South Staffordshire Bolt and Nut Trade Wages Board.**

*Employers' Assn. represented.* South Staffordshire Bolt and Nut Wages Board (Employers' section).

*Trade Union represented.* South Staffordshire Bolt and Nut Wages Board (Men's Section).

**Lock, Latch and Key (J.I.C.).**

*Employers' Assn. represented.* Midland Lock and Latch Manufacturers' Assn.

*Trade Union represented.* National Union of Lock and Metal Workers.

§ These Unions negotiate through the West Wales Allied Engineering Trades Committee.



<b>Metallic Bedstead. (J.I.C.)</b>	<i>Employers represented.</i> Individual employers. <i>Trade Union represented.</i> Bedstead Workers' Assn.
<b>Needle, Fishhook, Fishing Tackle and Allied Trades. (J.I.C.)</b>	<i>Employers' Assn. represented.</i> Assn. of British Manufacturers of Needles, Fish Hooks, and Fishing Tackle. <i>Trade Unions represented.</i> Nat. Soc. of Brass and Metal Mechanics. N.U.G.M.W.
<b>Joint Industrial Council for the Steel Pen Industry.</b>	<i>Employers' Assn. represented.</i> Assn. of British Steel Pen Makers. <i>Trade Union represented.</i> Penworkers' Fedn.
<b>Woven Wire. (J.I.C.) ...</b>	<i>Employers' Assn. represented.</i> Fedn. of Woven Wire Manufacturers. <i>Trade Unions represented.</i> N.U.G.M.W. T. & G.W.U.
<b>Nat. Joint Wages Board for the Farriery and Blacksmith Trade.</b>	<i>Employers' Assn. represented.</i> Nat. Master Farriers' and Blacksmiths' Assn. <i>Trade Union represented.</i> Amal. Soc. of Farriers and Blacksmiths.

## TEXTILE INDUSTRIES.

## Cotton.

<b>Joint Conciliation Committee of the Fedn. of Master Cotton Spinners' Assns. Ltd. and the Northern Counties Textile Trades Fedn.</b>	<i>Employers' Assn. represented.</i> Fedn. of Master Cotton Spinners' Assns. Ltd. <i>Trade Union represented.</i> Northern Counties Textile Trades Fedn.
<b>Joint Conciliation Committee of the Cotton Spinners' and Manufacturers' Assn. and the Northern Counties Textile Trades Fedn.</b>	<i>Employers' Assn. represented.</i> Cotton Spinners' and Manufacturers' Assn. <i>Trade Union represented.</i> Northern Counties Textile Trades Fedn.
<b>Joint Conciliation Committee of the Fedn. of Master Cotton Spinners' Assns. Ltd. and the N.U.G.M.W.</b>	<i>Employers' Assn. represented.</i> Fedn. of Master Cotton Spinners' Assns. Ltd. <i>Trade Union represented.</i> N.U.G.M.W.

## Other Textiles

<b>Silk. (J.I.C.) ...</b>	<i>Employers' Assns. represented.</i> Macclesfield Silk Trade Employers' Assn. Leek Manufacturers' and Dyers' Assn. British Silk Spinners' Assn. Rayon and Silk Assn. (Inc.). <i>Trade Unions represented.</i> Amal. Soc. of Textile Workers and Kindred Trades. T. & G.W.U. Nat. Union of Dyers, Bleachers and Textile Workers. N.U.G.M.W.
<b>Joint Labour Committee of the Rayon Producing Industry.</b>	<i>Employers' Assn. represented.</i> Nat. Employers' Assn. of Rayon Yarn Producers. <i>Trade Unions represented.</i> T. & G.W.U. N.U.G.M.W. Nat. Union of Dyers, Bleachers and Textile Workers.



Hosiery. (J.I.C.) ...	<p><i>Employers' Assns. represented.</i> Nat. Hosiery Manufacturers' Fedn. Hinckley and Dist. Hosiery Manufacturers' Assn. Leicester Hosiery Manufacturers' Assn. Loughborough and Dist. Hosiery Manufacturers' Assn. Mansfield, Sutton-in-Ashfield and Dist. Hosiery Manufacturers' Assn. Nottingham Hosiery Manufacturers' Assn.</p> <p><i>Trade Unions represented.</i> Amal. Soc. of Textile Workers and Kindred Trades. Nat. Union of Hosiery Workers.</p>
Board of Conciliation and Reference for the Plain Net Branch of the Lace Trade.	<p><i>Employers' Assn. represented.</i> British Plain Net Manufacturers' Assn.</p> <p><i>Trade Unions represented.</i> Amal. Soc. of Operative Lace Makers and Auxiliary Workers. T. &amp; G.W.U.</p>
Lace Trade Joint Board (Curtain Trade).	<p><i>Employers' Assns. represented.</i> Nottingham and Dist. Lace Curtain Manufacturers' Assn. Scottish Lace Manufacturers' Assn.</p> <p><i>Trade Union represented.</i> British Lace Operatives' Fedn.</p>
Tape and Light Web Section of the Narrow Fabrics Industry (J.I.C.)	<p><i>Employers' Assn. represented.</i> The Tape Manufacturers' Assn.</p> <p><i>Trade Unions represented.</i> N.U.G.M.W. Amal. Soc. of Textile Workers and Kindred Trades. T. &amp; G.W.U. Nat. Union of Dyers, Bleachers and Textile Workers. Amal. Weavers' Assn.</p>
Carpet (Kidderminster Dist.). (J.I.C.)	<p><i>Employers' Assn. represented.</i> Kidderminster Dist. Carpet Manufacturers' and Spinners' Assn.</p> <p><i>Trade Union represented.</i> Power Loom Carpet Weavers' and Textile Workers' Assn.</p>
Textile (West of Scotland). (J.I.C.)	<p><i>Employers' Assn. represented.</i> West of Scotland Textile Assn.</p> <p><i>Trade Unions represented.</i> West of Scotland Joint Committee of Textile Trade Unions. Amal. Soc. of Dyers, Bleachers, Finishers and Kindred Trades. N.U.G.M.W.</p>
Asbestos. (J.I.C.)...	<p><i>Employers' Assn. represented.</i> Asbestos Assn., Ltd.</p> <p><i>Trade Unions represented.</i> N.U.G.M.W. Rochdale and Dist. Weavers', Winders', Beamers', Reelers' and Doublers' Assn. T. &amp; G.W.U.</p>

#### Textile Bleaching, Printing, Dyeing, Finishing, etc.

Hosiery, Bleaching, Scouring, Dyeing and Finishing (Midlands Area). (J.I.C.)	<p><i>Employers' Assns. represented.</i> Nottingham Master Hosiery Dyers and Finishers. Leicester Master Dyers' and Trimmers' Assn.</p> <p><i>Trade Union represented.</i> Nat. Fedn. of Hosiery Dyers and Finishers.</p>
Reference Board of the Bury and Dist. Woollen Manufacturers and the Nat. Union of Dyers, Bleachers and Textile Workers.	<p><i>Employers' Assns. represented.</i> Lancashire Mechanical Cloth Manufacturers' Assn., Ltd. British Paper Machine Felt Assn., Ltd.</p> <p><i>Trade Union represented.</i> Nat. Union of Dyers, Bleachers and Textile Workers.</p>



**Joint Reference Board of the Scottish Fedn. of Dyers and Bleachers (Piece Goods) and the Nat. Union of Dyers, Bleachers and Textile Workers.**

*Employers' Assn. represented.* Scottish Fedn. of Dyers and Bleachers (Piece Goods).  
*Trade Union represented.* Nat. Union of Dyers, Bleachers and Textile Workers.

## LEATHER AND LEATHER GOODS INDUSTRIES

**Hide and Skin Marketing (England and Wales). (J.I.C.)**

*Employers' Assn. represented.* Nat. Fedn. of Hide and Skin Markets Inc.  
*Trade Unions represented.* U.S.D.A.W. Amal. Soc. of Leather Workers. Nat. Union of Leather Workers. T. & G.W.U. N.U.G.M.W.

**Nat. Joint Wages Board for the Leather Goods and Allied Trades.**

*Employers' Assn. represented.* Nat. Leather Goods and Saddlery Manufacturers' Assn. (Inc.).  
*Trade Union represented.* Nat. Union of Leather Workers.

## CLOTHING INDUSTRIES

### Tailoring, etc.

**Joint Conciliation Board of the Liverpool Branch of the Nat. Fedn. of Merchant Tailors (Inc.) and the Liverpool Branch of the Nat. Union of Tailors and Garment Workers.**

*Employers' Assn. represented.* Nat. Fedn. of Merchant Tailors (Inc.) (Liverpool Branch).  
*Trade Union represented.* Nat. Union of Tailors and Garment Workers. (Liverpool Branch).

**Joint Conciliation Board of the Nat. Fedn. of Merchant Tailors (Inc.) (London Branch) and the West End Branch (London) of the Nat. Union of Tailors and Garment Workers.**

*Employers' Assn. represented.* Nat. Fedn. of Merchant Tailors (Inc.) (London Branch).  
*Trade Union represented.* Nat. Union of Tailors and Garment Workers (London Area).

**Nat. Joint Committee for the Wholesale Clothing Trade (Great Britain).**

*Employers' Assn. represented.* Wholesale Clothing Manufacturers' Fedn. of Great Britain.  
*Trade Union represented.* Nat. Union of Tailors and Garment Workers.

**Nat. Joint Committee for the Shirt, Collar and Tie Trade (Great Britain).**

*Employers' Assn. represented.* Shirt, Collar and Tie Manufacturers' Fedn.  
*Trade Union represented.* Nat. Union of Tailors and Garment Workers.

### Boot and Shoe Making, etc.

**†Boot and Shoe Manufacturing. (J.I.C.)**

*Employers' Assn. represented.* Inc. Federated Assns. of Boot and Shoe Manufacturers of Great Britain and Ireland.  
*Trade Union represented.* Nat. Union of Boot and Shoe Operatives.



**Boot and Shoe Manufacturing Trade Nat. Joint Standing Committee.**

*Employers' Assn. represented.* Inc. Federated Assns. of Boot and Shoe Manufacturers of Great Britain and Ireland.

*Trade Union represented.* Nat. Union of Boot and Shoe Operatives.

**Joint Standing Committee in connection with the Government Boot and Shoe Contractors.**

*Employers' Assn. represented.* Raunds and Dist. Government Boot and Shoe Manufacturers' Assn.

*Trade Union represented.* Nat. Union of Boot and Shoe Operatives.

**Board of Conciliation for the Shoe and Slipper Trade in the Rossendale Valley.**

*Employers' Assn. represented.* Rossendale Valley Boot, Shoe and Slipper Manufacturers' Assn.

*Trade Union represented.* Rossendale Union of Boot, Shoe and Slipper Operatives.

## FOOD PREPARATION

### Grain Milling

**†Flour Milling. (J.I.C.) ...**

*Employers' Assns. represented.* Flour Milling Employers' Fedn. Co-operative Wholesale Soc., Ltd. Scottish Co-operative Wholesale Soc., Ltd.

*Trade Unions represented.* T. & G.W.U. N.U.G.M.W. U.S.D.A.W.

### Baking and Flour Confectionery

(The Baking Industry is covered by statutory Trade Boards for England and Wales and Scotland respectively, but there are also joint bodies in various parts of Great Britain which negotiate local or district agreements providing terms and conditions of employment more favourable than those prescribed by the Trade Boards.)

**Nat. Joint Wages Council for the Biscuit Industry.**

*Employers' Assns. represented.* Nat. Assn. of Biscuit Manufacturers. British Cake and Biscuit Assn. Nat. Ice Cream Biscuit Assn. Co-operative Wholesale Soc., Ltd. Scottish Co-operative Socs. Scottish Biscuit Manufacturers (Individual Employers).

*Trade Unions represented.* N.U.G.M.W. Amal. Union of Operative Bakers, Confectioners and Allied Workers of Great Britain and Ireland. T. & G.W.U. U.S.D.A.W. Scottish Union of Bakers, Confectioners and Bakery Workers.

### Other Food Trades

**Bacon Curing. (J.I.C.) ...**

*Employers' Assns. represented.* Assn. of Scottish Bacon Curers. Co-operative Wholesale Soc., Ltd. and Scottish Co-operative Wholesale Soc., Ltd. English "Wiltshire" Bacon Curers' Assn. Midland Bacon Curers' Assn. Nat. Small Registered Bacon Curers' Assn.

*Trade Unions represented.* U.S.D.A.W. N.U.G.M.W. T. & G.W.U.



- Slaughter Houses. (J.I.C.)** *Employers' Assns. represented.* Fedn. of Wholesale Fresh Meat Traders of Great Britain and Ireland. Home Killed Meat Assn. Ltd. Co-operative Union Ltd. Nat. Fedn. of Retail Meat Traders' Assns. Inc.  
*Trade Unions represented.* U.S.D.A.W. T. & G.W.U.
- Brewing, Beer Bottling and Malting (North Midland Area). (J.I.C.)** *Employers represented.* Individual employers.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U.
- Cocoa, Chocolate, Sugar Confectionery and Jam (Interim Industrial Reconstruction Committee).** *Employers' Assn. represented.* Food Manufacturers' Fedn. Inc.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W. U.S.D.A.W.

## WOODWORKING AND FURNITURE MANUFACTURE

### Sawmilling, etc.

- Timber, Home Grown (England and Wales). (J.I.C.)** *Employers' Assn. represented.* Federated Home Grown Timber Merchants' Assns.  
*Trade Unions represented.* Amal. Soc. of Woodcutting Machinists. U.S.D.A.W. N.U.G.M.W. T. & G.W.U.
- Conciliation Board of the Nat. Fedn. of Sawmill Proprietors of Great Britain and Ireland and the Amal. Soc. of Woodcutting Machinists.** *Employers' Assn. represented.* Nat. Fedn. of Sawmill Proprietors.  
*Trade Union represented.* Amal. Soc. of Woodcutting Machinists.
- North Midland Sawmilling Conciliation Council.** *Employers represented.* Individual employers.  
*Trade Union represented.* Amal. Soc. of Woodcutting Machinists.
- Sheffield and Dist. Joint Committee for the Sawmilling Industry.** *Employers' Assn. represented.* Sheffield Timber Merchants' Assn.  
*Trade Union represented.* Amal. Soc. of Woodcutting Machinists.
- †Cooperage. (J.I.C.)** ... *Employers' Assn. represented.* Nat. Fedn. of Employers of Coopers in the United Kingdom.  
*Trade Unions represented.* Amal. Soc. of Coopers. Nat. Assn. of Coopers. Liverpool Coopers' Soc.
- Wood Box, Packing Case and Wooden Container (England and Wales). (J.I.C.)** *Employers' Assn. represented.* Nat. Fedn. of Box and Packing Case Manufacturers.  
*Trade Unions represented.* Nat. Union of Packing Case Makers (Wood and Tin), Box Makers, Sawyers and Mill Workers. Amal. Soc. of Woodcutting Machinists. T. & G.W.U. N.U.G.M.W.
- Educational and Allied Wood-Working Industries. (J.I.C.)** *Employers' Assn. represented.* School Furniture Manufacturers' Assn.  
*Trade Unions represented.* Amal. Soc. of Woodworkers. Amal. Soc. of Woodcutting Machinists. Nat. Amal. Furnishing Trades Assn.



**Furniture Manufacture, etc.**

- †Furniture Trade. (J.I.C.) *Employers' Assn. represented.* British Furniture Trades Confedn.  
*Trade Union represented.* Nat. Fedn. of Furniture Trade Unions.
- Cane, Willow and Woven Fibre Furniture Trade in Great Britain and Northern Ireland. (J.I.C.) *Employers' Assns. represented.* Nat. Fedn. of Manufacturers from Cane, Willow and Woven Fibre. Employers' Fedn. of Cane and Willow Workers' Assns. of Great Britain and Northern Ireland.  
*Trade Unions represented.* Nat. Amal. Furnishing Trades Assn. Nat. Union of Packing Case Makers (Wood and Tin), Box, Makers, Sawyers and Mill Workers. Nat. Union of Basket, Cane, and Wicker Furniture Makers.
- Conciliation Board for the Mattress Making Industry. *Employers' Assn. represented.* Nat. Fedn. of Bedding and Allied Trades Ltd.  
*Trade Unions represented.* General Union of Bedding Trade Workers. Amal. Union of Upholsterers of Great Britain and Ireland. Nat. Amal. Furnishing Trades Assn.

**PAPER, PRINTING, ETC.**

- Printing and Allied Trades. (J.I.C.\*) *Employers' Assns. represented.* British Fedn. of Master Printers. Newspaper Society.  
*Trade Union represented.* Printing and Kindred Trades Fedn.
- Printing Ink and Roller Making. (J.I.C.) *Employers' Assn. represented.* Fedn. of British Printing Ink Manufacturers.  
*Trade Union represented.* Nat. Soc. of Operative Printers and Assistants (Ink and Roller Branch).
- Process Engraving (J.I.C.) *Employers' Assn. represented.* Fedn. of Master Process Engravers.  
*Trade Unions represented.* Soc. of Lithographic Artists, Designers, Engravers and Process Workers. Nat. Union of Printing, Bookbinding and Paper Workers (Printing Machine Branch).
- Joint Board of Electrotyping and Stereotyping Employers' Fedn. and the London Branch of the Nat. Soc. of Electrotypers and Stereotypers. *Employers' Assn. represented.* Electrotyping and Stereotyping Employers' Fedn.  
*Trade Union represented.* Nat. Soc. of Electrotypers and Stereotypers.
- Wallpaper Making. (J.I.C.) *Employers' Assn. represented.* The Wallpaper Manufacturers' Employers' Assn.  
*Trade Union represented.* The Wallpaper Stainers' Trade Union Fedn.



## BUILDING, PUBLIC WORKS CONTRACTING, ETC.

- †Nat. Joint Council for the Building Industry. *Employers' Assns. represented.* Nat. Fedn. of Building Trades Employers. Nat. Fedn. of Plumbers and Domestic Engineers (Employers). Nat. Fedn. of Roofing Contractors. *Trade Unions represented.* Nat. Fedn. of Building Trades Operatives. Amal. Soc. of Woodworkers. Amal. Union of Building Trade Workers. N.U.G.M.W. Nat. Soc. of Painters. T. & G.W.U. (Building Trade Workers' Section). Plumbers', Glaziers' and Domestic Engineers' Union. Nat. Builders' Labourers' and Constructional Workers' Soc. Nat. Soc. of Street Masons, Paviers and Road Makers. Amal. Soc. of Woodcutting Machinists. Amal. Slaters' and Tilers' Provident Soc. Nat. Assn. of Operative Plasterers
- Scottish Nat. Joint Council for the Building Industry. *Employers' Assn. represented.* Scottish Nat. Building Trades Fedn. (Employers). *Trade Union represented.* Nat. Fedn. of Building Trades Operatives.
- Civil Engineering Construction Conciliation Board for Great Britain. *Employers' Assn. represented.* Fedn. of Civil Engineering Contractors. *Trade Unions represented.* T. & G.W.U. N.U.G.M.W.
- Joint Board for the Building and Civil Engineering Industries. *Employers' Assns. represented.* Employers' Side of the Nat. Joint Council for the Building Industry. Employers' Side of the Civil Engineering Construction Conciliation Board. *Trade Unions represented.* Employees' Side of the Nat. Joint Council for the Building Industry. Employees' Side of the Civil Engineering Construction Conciliation Board.
- Demolition Industry Wages Board. *Employers' Assn. represented.* Nat. Fedn. of Demolition Contractors. *Trade Union represented.* Nat. Fedn. of Building Trades Operatives.
- Scottish Joint Board for the Building and Civil Engineering Industries. *Employers' Assns. represented.* Scottish Nat. Building Trade Fedn. (Employers). The Fedn. of Civil Engineering Contractors (Scottish Section). *Trade Union represented.* Nat. Fedn. of Building Trades Operatives.
- Nat. Joint Council for the Fence Erecting Industry. *Employers' Assns. represented.* Underwood Products Assn. Timber and General Fencing Contractors Assn. Chain Link Fencing Assn. The Railing Assn. *Trade Unions represented.* Amal. Soc. of Woodworkers. Amal. Soc. of Woodcutting Machinists. T. & G.W.U.
- Glazing. (J.I.C.) ... *Employers' Assn. represented.* Nat. Council of Glazing Employers. *Trade Union represented.* Plumbers', Glaziers' and Domestic Engineers' Union.
- Scottish Plasterers' Nat. Joint Committee. *Employers' Assn. represented.* Scottish Master Plasterers' Assn. *Trade Union represented.* Scottish Nat. Operative Plasterers' Protective and Benefit Federal Union.



- †Plumbing. (J.I.C.) ... *Employers' Assn. represented.* Nat. Fedn. of Plumbers and Domestic Engineers (Employers).  
*Trade Union represented.* Plumbers', Glaziers' and Domestic Engineers' Union.
- †Nat. Joint Council for the Mastic Asphalt Industry. *Employers' Assns. represented.* Nat. Employers' Council of the Mastic Asphalt Industry.  
*Trade Union represented.* Amal. Union of Asphalte Workers.
- Conciliation Board for Engine and Crane Drivers employed by members of the London Master Builders' Assn. *Employers' Assn. represented.* London Master Builders' Assn.  
*Trade Union represented.* Nat. Union of Enginemen, Firemen, Mechanics, Motor-men and Electrical Workers (Section of T. & G.W.U.)
- Monumental Masonry Industry. (J.I.C.) *Employers' Assns. represented.* Nat. Assn. of Master Monumental Masons. The British Stone Fedn.  
*Trade Unions represented.* Amal. Union of Building Trade Workers. Nat. Builders' Labourers' and Constructional Workers' Soc. N.U.G.M.W. T. & G.W.U.
- Joint Committee of the London and Southern Counties Branch of the Nat. Fedn. of Roofing Contractors and the Amal. Slaters' and Tilers' Provident Soc. *Employers' Assn. represented.* London and Southern Counties Branch Nat. Fedn. of Roofing Contractors.  
*Trade Union represented.* Amal. Slaters' and Tilers' Provident Soc.
- North East Coast Joint Dist. Committee of Employers and Operatives of the Nat. Fedn. of Roofing Contractors. *Employers' Assn. represented.* Nat. Fedn. of Roofing Contractors (North of England Branch).  
*Trade Union represented.* Amal. Slaters' and Tilers' Provident Soc. (Northern Dist.).
- Joint Committee of Representatives of the Scottish Tile and Marble Contractors' Assn. and the Scottish Associated Tile Fixers' Union. *Employers' Assn. represented.* Scottish Tile and Marble Contractors' Assn.  
*Trade Union represented.* Scottish Associated Tile Fixers' Union.
- Nat. Joint Committee for the Terrazzo Mosaic Industry. *Employers' Assn. represented.* Nat. Fedn. of Terrazzo-Mosaic Specialists.  
*Trade Union represented.* Amal. Union of Building Trade Workers.

#### OTHER MANUFACTURING INDUSTRIES

- Animal Gut Industry (England and Wales). (J.I.C.) *Employers' Assn. represented.* Assn. of Animal Gut Cleaners Ltd.  
*Trade Union represented.* U.S.D.A.W.
- Bobbin and Shuttle Making. (J.I.C.) *Employers' Assns. represented.* Bobbin Manufacturers' Assn. Employers' Assn. of Shuttle Makers.  
*Trade Unions represented.* Amal. Soc. of Woodcutting Machinists. Amal. Soc. of Shuttlemakers. U.S.D.A.W. N.U.G.M.W.
- Coir Mat and Matting. (J.I.C.) *Employers' Assn. represented.* British Coir Mat and Matting Employers' Assn.  
*Trade Unions represented.* T. & G.W.U. N.U.G.M.W. Suffolk United Coir Mat and Matting Weavers' Trade Soc.



- Ophthalmic Optical. (J.I.C.)** *Employers' Assn. represented.* The Ophthalmic Industrial Group.  
*Trade Unions represented.* U.S.D.A.W. N.U.G.M.W.
- Rubber. (J.I.C.) ...** *Employers' Assn. represented.* Labour Relations Conference of the Rubber Manufacturing Industry.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U. United Rubber Workers of Great Britain. U.S.D.A.W.

### GAS, WATER AND ELECTRICITY SUPPLY

- † Electricity Supply. (J.I.C.)** *Employers' Assns. represented.* Inc. Assn. of Electric Power Companies. Conference of Chief Officials of the London Electricity Supply Companies. Provincial Electric Supply Assn. of the United Kingdom. Local Authority representatives from the Employers' Sides of the various Dist. Councils.  
*Trade Unions represented.* A.E.U. E.T.U. Nat. Union of Enginemen, Firemen, Mechanics, Motormen and Electrical Workers (Section of the T. & G.W.U.). N.U.G.M.W. T. & G.W.U.
- Electricity Supply (National Joint Board for Technical Staff). (J.I.C.)** *Employers' Assns. represented.* Inc. Assn. of Electric Power Companies. Provincial Electric Supply Committee of the United Kingdom. Representatives from the Employers' Sides of the various Dist. Joint Boards.  
*Trade Union represented.* Electrical Power Engineers' Assn.
- Nat. Joint Committee of Local Authorities and Chief Electrical Engineers for the Electricity Supply Industry.** *Employers' Assn. represented.* Nat. Joint Committee of Local Authorities.  
*Trade Union represented.* Associated Municipal Electrical Engineers.
- Gas. (J.I.C.) ...** *Employers' Assn. represented.* Fedn. of Gas Employers.  
*Trade Unions represented.* N.U.G.M.W. T. & G.W.U. Nat. Union of Enginemen, Firemen, Mechanics, Motormen and Electrical Workers (Section of T. & G.W.U.).
- † Waterworks. (J.I.C.) ...** *Employers' Assns. represented.* British Waterworks Assn. (Inc.). Water Companies Assn.  
*Trade Unions represented.* Nat. Union of Waterworks Employees. N.U.G.M.W. Nat. Union of Enginemen, Firemen, Mechanics, Motormen, and Electrical Workers (Section of T. & G.W.U.). Nat. Union of Public Employees. T. & G.W.U.

### TRANSPORT AND COMMUNICATION

#### Railway Service

- † Railway Staff Nat. Council** *Employers' Assn. represented.* Railways Staff Conference representing the four main line Companies.  
*Trade Unions represented.* Nat. Union of Railwaymen. Associated Soc. of Locomotive Engineers and Firemen. Railway Clerks' Assn. of Great Britain and Ireland.



- †Railway Workshop Supervisory Staff Nat. Council. *Employers' Assn. represented.* Railways Staff Conference.  
*Trade Unions represented.* Nat. Union of Railwaymen. Railway Clerks' Assn. of Great Britain and Ireland. Assn. of Supervisory Staffs and Engineering Technicians. Confederation of Shipbuilding and Engineering Unions of the United Kingdom. A.E.U.
- †Railway Shopmen's Nat. Council. *Employers' Assn. represented.* Railways Staff Conference.  
*Trade Unions represented.* Nat. Union of Railwaymen. A.E.U. Nat. Union of Foundry Workers of Great Britain and Ireland. Confedn. of Shipbuilding and Engineering Unions of the United Kingdom. Amal. Machine, Engine and Iron Grinders' and Glazers' Soc.
- †Nat. Railway Electric Council. *Employers' Assn. represented.* Railways Staff Conference.  
*Trade Unions represented.* Nat. Union of Railwaymen. E.T.U. A.E.U.
- †Railway Police Central Conference. *Employers' Assn. represented.* Railways Staff Conference.  
*Trade Union represented.* Railway Police Force Fedn.
- London Passenger Transport Negotiating Committee.‡ *Employers' Assn. represented.* London Passenger Transport Board.  
*Trade Unions represented.* Nat. Union of Railwaymen. Associated Soc. of Locomotive Engineers and Firemen. Railway Clerks' Assn. of Great Britain and Ireland.

#### Road Transport

- Municipal Road Passenger Transport (Tramways, Trolley-buses and Motor Omnibuses). (J.I.C.) *Employers' Assn. represented.* Municipal Passenger Transport Assn. (Inc.).  
*Trades Unions represented.* T. & G.W.U. N.U.G.M.W. Nat. Union of Railwaymen. A.E.U. Nat. Union of Vehicle Builders. E.T.U.
- Omnibus (excluding Municipal Undertakings and the London Passenger Transport Board). (J.I.C.) *Employers' Assn. represented.* The Conference of Omnibus Companies.  
*Trade Unions represented.* T. & G.W.U. Nat. Union of Railwaymen. N.U.G.M.W.
- Nat. Joint Industrial Council for the Road Haulage Industry. *Employers' Assn. represented.* Road Haulage Assn.  
*Trade Unions represented.* T. & G.W.U. United Road Transport Workers Assn. N.U.G.M.W. Scottish Horse and Motormen's Assn. Liverpool and District Carters and Motormen's Union.
- Joint Committee of the Commercial Motor Users' Assn. (Inc.) and the T. & G.W.U. for the Road Passenger Transport Industry in Lancashire and Cheshire. *Employers' Assn. represented.* Commercial Motor Users' Assn. (Inc.) (North Western Division).  
*Trade Union represented.* T. & G.W.U.

‡ This Negotiating Committee was established under the relevant provisions of the London Passenger Transport Act, 1933.



<b>Bristol Road Transport and Warehousekeepers' Joint Committee.</b>	<i>Employers' Assn. represented.</i> Port of Bristol Employers' Assn. <i>Trade Union represented.</i> T. & G.W.U.
<b>Joint Conciliation Board for the Omnibus Industry in South Wales.</b>	<i>Employers' Assn. represented.</i> Commercial Motor Users' Assn. (South Wales Division). <i>Trade Union represented.</i> T. & G.W.U.
<b>Furniture Warehousing and Removing. (J.I.C.)</b>	<i>Employers' Assn. represented.</i> Nat. Assn. of Furniture Warehousemen and Removers Ltd. <i>Trade Union represented.</i> T. & G.W.U.

### Water Transport, Dock, Harbour, etc., Service

<b>†Merchant Navy (National Maritime Board). (J.I.C.)</b>	<i>Employers' Assns. represented.</i> Shipping Fedn. Ltd. Employers' Assn. of the Port of Liverpool. Railways Staff Conference. Admiralty. Marine Wireless Employers' Negotiations Committee.  <i>Trade Unions represented.</i> Navigators' and Engineer Officers' Union. Radio Officers' Union. Mercantile Marine Service Assn. Marine Engineers' Assn. Ltd. Nat. Union of Seamen. Shipconstructors' and Shipwrights' Assn. A.E.U.
<b>†Docks (National Joint Council for Dock Labour). (J.I.C.)</b>	<i>Employers' Assn. represented.</i> Nat. Assn. of Port Employers <i>Trade Unions represented.</i> T. & G.W.U. N.U.G.M.W. Nat. Amal. Stevedores and Dockers. Scottish T. & G.W.U.
<b>Joint Committee of the Liverpool Lighter and Barge Owners' Assn. and the T. &amp; G.W.U.</b>	<i>Employers' Assn. represented.</i> Liverpool Lighter and Barge Owners' Assn. <i>Trade Union represented.</i> T. & G.W.U.
<b>London Agreement Joint Committee.</b>	<i>Employers represented.</i> Port Employers in London.  <i>Trade Unions represented.</i> Nat. Amal. Stevedores and Dockers. Watermen, Lightermen, Tugmen and Bargemen's Union.
<b>†Nat. Joint Trimming Committee.‡</b>	<i>Employers' Assn. represented.</i> Shipping Fedn. Ltd.  <i>Trade Unions represented.</i> Cardiff, Penarth and Barry Coal Trimmers' Union. T. & G.W.U. Nat. Union of Railwaymen. N.U.G.M.W.
<b>†Inland Waterways. (J.I.C.)</b>	<i>Employers represented.</i> Canal Undertakers and Canal Carriers.  <i>Trade Union represented.</i> T. & G.W.U.
<b>Grand Union Canal Conciliation Board.</b>	<i>Employers represented.</i> Grand Union Canal Company.  <i>Trade Union represented.</i> T. & G.W.U.

‡ Outside the scope of this Committee there are local Committees at Ayr, Garston, Irvine, Maryport, Troon and Whitehaven.



**Midland Canal Boatmen's  
Wages Board.**

*Employers' Assns. represented.* Loam Sand Assn. Midland Short Distance Canal Transport Assn. Employers in Various Industries.

*Trade Union represented.* T. & G.W.U.

**Air Transport**

**Civil Air Transport  
(J.I.C.)**

*Employers' Assns. represented.* British Overseas Airways Corporation. British European Airways Corporation. British South American Airways Corporation.

*Trade Unions represented.* British Air Line Pilots' Assn. Assn. of Supervisory Staffs, Executives and Technicians. Assn. of Engineering and Shipbuilding Draughtsmen. Radio Officers' Union. A.E.U. Electrical Trade Unions. Amal. Soc. of Woodworkers. Nat. Union of Sheet Metal Workers and Braziers. N.U.G.M.W. T. & G.W.U.

*Trade Unions represented.* U.S.D.A.W. Retail Book, Stationery and Allied Trades Employees' Assn. T. & G.W.U.

**COMMERCE AND DISTRIBUTION**

**Retail Bookselling, News-  
agency, Stationery, To-  
bacco and Confectionery  
(England and Wales).  
(J.I.C.)**

*Employers' Assns. represented.* Associated Booksellers of Great Britain and Ireland. Co-operative Union Ltd. London Employers' Assn. Ltd. Multiple Shops Fedn. Nat. Chamber of Trade. Nat. Fedn. of Retail Newsagents, Booksellers and Stationers. Retail Distributors' Assn. (Inc.). Stationers' Assn. of Great Britain and Ireland.

**Joint Council (Coal and  
Coke Distributing Trade).**

*Employers' Assns. represented.* Soc. of Coal Merchants. Coal Merchants' Fedn. of Great Britain and Ireland. Co-operative Union Ltd.

*Trade Unions represented.* T. & G.W.U. United Road Transport Workers Assn. U.S.D.A.W. Liverpool and District Carters and Motormen's Union. Scottish Horse and Motormen's Assn.

**Joint Standing Committee  
of the Cheshire Fedn. of  
Coal Merchants' Assns.  
and the United Road  
Transport Workers'  
Assn. of England.**

*Employers' Assn. represented.* Cheshire Fedn. of Coal Merchants' Assn.

*Trade Union represented.* United Road Transport Workers' Assn. of England.

**Nat. Conciliation Board  
for the Co-operative  
Service.**

*Employers' Assn. represented.* Co-operative Union Ltd

*Trade Unions represented.* U.S.D.A.W. Journeymen Butchers' Fedn. of Great Britain. Clerical and Administrative Workers' Union. Nat. Union of Co-operative Officials. T. & G.W.U. United Road Transport Workers' Assn. of England. Amal. Soc. of Boot and Shoe Makers and Repairers. Nat. Union of Tailors and Garment Workers. N.U.G.M.W. Nat. Cigar and Tobacco Workers' Union. Nat. Amal. Furnishing Trades Assn. Nat. Union of Dyers, Bleachers and Textile Workers. Assn. of Engineering and Shipbuilding Draughtsmen. Amal. Union of Upholsterers of Great Britain and Ireland. Nat. Union of Boot and Shoe Operatives. Nat. Soc. of Pottery Workers. Amal. Union of Operative Bakers, Confectioners and Allied Workers of Great Britain and Ireland.



**Joint Board of Conciliation and Arbitration (Scotland)** composed of representatives of the Scottish Section of the Co-operative Union Ltd. and the General Council of the Scottish Trades Union Congress.

*Employers' Assn. represented.* Scottish Section of Co-operative Union Ltd.  
*Trade Union representation.* General Council of Scottish Trades Union Congress.

**Corn Trade. (J.I.C.)** ...

*Employers' Assn. represented.* Nat. Assn. of Corn and Agricultural Merchants.  
*Trade Union represented.* T. & G.W.U.

**Retail Drapery, Outfitting and Footwear (England and Wales). (J.I.C.)**

*Employers' Assns. represented.* Co-operative Union Ltd. Drapers' Chamber of Trade of Great Britain and Ireland. Inc. Nat. Fedn. of Boot Trades Assns. Ltd. London Employers' Assns. Ltd. Nat. Assn. of Outfitters. Nat. Chamber of Trade. Nat. Fedn. of Credit Traders. Nat. Fedn. of Merchant Tailors (Inc.). Retail Distributors' Assn. (Inc.)

*Trade Unions represented.* N.A.U.S.A. N.U.D.A.W. T. & G.W.U.

**Retail Food (England and Wales). (J.I.C.)**

*Employers' Assns. represented.* Amal. Master Dairymen Ltd. Co-operative Union Ltd. London Employers' Assn. Ltd. Multiple Grocers' Assn. Multiple Shops Fedn. Nat. Chamber of Trade. Nat. Fedn. of Dairymen's Assns. Inc. Nat. Fedn. of Grocers' and Provisions Dealers' Assns. Retail Distributors Assn. (Inc.). Nat. Fedn. of Off Licence Holders' Assns. of England and Wales. Retail Fruit Trades Fedn. Ltd. Cooked Meats Nat. Trade Assns. Nat. Fedn. of Fishmongers Ltd. Nat. Fedn. of Fish Friers Ltd.

*Trade Unions represented.* U.S.D.A.W. T. & G.W.U. Clerical and Administrative Workers' Union.

**Retail Furnishing and Allied Trades (England and Wales). (J.I.C.)**

*Employers' Assns. represented.* British Furniture Trade Employers' Confedn. China and Glass Retailers' Assn. of the United Kingdom. Co-operative Union Ltd. Drapers' Chamber of Trade. Fedn. of Sports Goods Distributors. London Employers' Assn. Ltd. Multiple Shops Fedn. Nat. Assn. of Cycle and Motor Cycle Traders. Radio and Television Retailers' Assn. Nat. Chamber of Trade. Nat. Fedn. of Ironmongers. Retail Distributors' Assn. (Inc.). Nat. Assn. of Toolmakers.

*Trade Unions represented.* U.S.D.A.W. T. & G.W.U.

**Wholesale Grocery and Provisions (England and Wales). (J.I.C.)**

*Employers' Assns. represented.* Nat. Fedn. of Produce Merchants Ltd. Bristol and West of England Wholesale Provision Trade Assn. Co-operative Wholesale Soc. Ltd. Liverpool Provision Trade Assn. Ltd. Manchester Provision Exchange Ltd. Wholesale Produce Merchants' Assn. Bakery Allied Traders' Assn. Ltd. Primary (Food) Merchant Distributors' Committee.

*Trade Unions represented.* U.S.D.A.W. N.U.G.M.W. T. & G.W.U.



**Joint Committee of the Scottish Fedn. of Grocers' and Provision Merchants' Assns. and Multiple Grocers' Assn. (Scottish Section) and the N.A.U.S.A.** *Employers' Assns. represented.* Scottish Fedn. of Grocers' and Provision Merchants Assns. Multiple Grocers' Assn. (Scottish Section). *Trade Union represented.* U.S.D.A.W.

**London Markets (Conciliation Boards)**

**Billingsgate** ... *Employers' Assn. represented.* London Fish Trade Assn. *Trade Union represented.* T. & G.W.U.  
**Borough** ... *Employers' Assn. represented.* Borough Market Tenants' Assn. Ltd. *Trade Union represented.* T. & G.W.U.  
**Brentford** ... *Employers' Assn. represented.* Brentford Wholesale Market Tenants' Assn. *Trade Union represented.* T. & G.W.U.  
**Covent Garden** ... *Employers' Assn. represented.* Covent Garden Tenants' Assn. Ltd. *Trade Union represented.* T. & G.W.U.  
**Spitalfields** ... *Employers' Assn. represented.* Spitalfields Market Tenants' Assn. Ltd. *Trade Union represented.* T. & G.W.U.  
**Stratford** ... *Employers' Assn. represented.* Stratford Market Tenants' Assn. *Trade Union represented.* T. & G.W.U.

**Retail Meat (England and Wales). (J.I.C.)** *Employers' Assns. represented.* Assn. of Multiple Retail Meat Traders. Co-operative Union Ltd. Nat. Fedn. of Retail Meat Traders' Assns. (Inc.). Retail Distributors' Assn. Inc. *Trade Unions represented.* U.S.D.A.W. T. & G.W.U.

**Joint Committee of the Liverpool Wholesale Fresh Meat Trade Assn. and the N.U.D.A.W.** *Employers' Assn. represented.* Liverpool Wholesale Fresh Meat Trade Assn. *Trade Union represented.* U.S.D.A.W.

**Conciliation Committee of the Petroleum Board and the T. & G.W.U.** *Employers' Assn. represented.* Representatives of the Petroleum Board. *Trade Union represented.* T. & G.W.U.

**MISCELLANEOUS TRADES AND SERVICES**

**Industrial Catering. (J.I.C.)** *Employers' Assns. represented.* Nat. Soc. of Caterers to Industry. Mersey Docks Catering Assn. Co-operative Wholesale Soc. Ltd. *Trade Unions represented.* N.U.G.M.W. N.U.D.A.W. Nat. Union of Railwaymen.

**Canteens and Dining Clubs of the Four Main Line Railways (London Area). (J.I.C.)** *Employers' Assn. represented.* The London Railway Canteens' Assn. *Trade Unions represented.* U.S.D.A.W. Nat. Union of Railwaymen.

**Dental Mechanics (Nat. Joint Council for the Craft of Dental Mechanics). (J.I.C.)** *Employers' Assns. represented.* Dental Laboratories Section of the Surgical Instrument Manufacturers' Assn. British Dental Assn. Inc. Dental Soc. Ltd. Public Dental Service Assn. of Great Britain Ltd.

*Trade Unions represented.* The Associated Dental Mechanics Section of U.S.D.A.W. The Associated Dental Mechanics Section of the Soc. of Goldsmiths, Jewellers and Kindred Trades.



**Hairdressing (including  
Beauty Specialists).  
(J.I.C.)**

*Employers' Assns. represented.* City of London Hairdressers' Guild. Co-operative Union Ltd. General Assn. of Ladies' Hairdressers Ltd. Inc. Guild of Hairdressers, Wigmakers and Perfumers. London Employers' Assn. Ltd. London and Provincial Hairdressers' Assn. Multiple Shops Fedn. Nat. Chamber of Trade. Nat. Hairdressers' Fedn. Retail Distributors' Assn. (Inc.). Scottish Areas (Nat. Hairdressers' Fedn.).

*Trade Union represented.* U.S.D.A.W.

**Pharmacy (England and  
Wales). (J.I.C.)**

*Employers' Assns. represented.* Nat. Pharmaceutical Union. Company Chemists' Assn. Ltd. Co-operative Union Ltd. London Employers' Assn. Ltd. Retail Distributors' Assn. (Inc.).

*Trade Unions represented.* U.S.D.A.W. Nat. Union of Co-operative Officials. Assn. of Scientific Workers. Chemical Workers' Union.

### ENTERTAINMENTS, ETC.

**London Theatre Council...**

*Employers' Assn. represented.* Soc. of West End Theatre Managers.

*Trade Union represented.* British Actors' Equity Assn.

**Provincial Theatre Council**

*Employers' Assns. represented.* Theatrical Managers' Assn. Assn. of Touring and Producing Managers.

*Trade Union represented.* British Actors' Equity Assn.

**Nat. Joint Appeal Board  
of the Cinematograph  
Exhibitors' Assn. and  
the Nat. Assn. of  
Theatrical and Kine  
Employees. §**

*Employers' Assn. represented.* Cinematograph Exhibitors' Assn. of Great Britain and Ireland.

*Trade Union represented.* Nat. Assn. of Theatrical and Kine Employees.

### OTHER BOARDS

**Joint Negotiating Com-  
mittee for the General  
Waste Reclamation  
Trade.**

*Employers' Assns. represented.* Federated Assns. of Waste Material Dealers (Inc.). British Paper Stock Merchants' Assn. Waste Paper Merchants' Assn. British Woollen Rag Merchants' Assn. Nat. Assn. of Non-Ferrous Scrap Metal Merchants.

*Trade Unions represented.* N.U.G.M.W. T. & G.W.U. Nat. Union of Dyers, Bleachers and Textile Workers. U.S.D.A.W. Wool, Yarn and Warehouse Workers' Union.

**Joint Conciliation Com-  
mittee for the Iron, Steel  
and Non-Ferrous Scrap  
Industry, including  
Demolition, Dismantle-  
ment and Shipbreaking.**

*Employers' Assns. represented.* The Nat. Fedn. of Scrap Iron and Metal Merchants (and Allied Trades). British Ship-breakers' Assn.

*Trade Unions represented.* T. & G.W.U. U.S.G.M.W. Iron and Steel Trades Confedn.

§ In addition to the National Joint Appeal Board, there are various Conciliation Boards for separate areas. In a few instances other Trade Unions, in addition to the National Association of Theatrical and Kine Employees, are represented on these area boards.



## Section XIV

## BIBLIOGRAPHY

LEGISLATION WHICH AFFECTS INDUSTRIAL  
RELATIONS DIRECTLY OR INDIRECTLY

## I. ACTS

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- Employers and Workmen Act, 1875.
- Trade Union Act Amendment Act, 1876.
- Trade Disputes Act, 1906.
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- Trade Union (Amalgamation) Act, 1917.
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- Societies (Miscellaneous Provisions) Act, 1940.

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- Agricultural Wages (Regulation) Acts, 1924 and 1940.
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- Road Haulage Wages Act, 1938.
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- Conciliation Act, 1896.
- Industrial Courts Act, 1919.

**Acts containing Fair Wages Provisions.**

- British Sugar (Subsidy) Acts, 1925 to 1935.
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- Housing Act, 1935.
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- Railways (Agreement) Act, 1935.
- Air Navigation Act, 1936.
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- Bacon Industry Act, 1938.
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- War Damage Act, 1941.



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#### **APPENDIX I.**

##### **MODEL CONSTITUTION AND FUNCTIONS OF A JOINT INDUSTRIAL COUNCIL.**

###### **(A) FUNCTIONS OF A JOINT INDUSTRIAL COUNCIL.**

1. To secure the largest possible measure of joint action between employers and workpeople for the development of the industry as a part of national life and for the improvement of the conditions of all engaged in that industry.

It will be open to the Council to take any action that falls within the scope of this general definition. Among its more specific objects will be the following:

*NOTE.—No hard and fast policy is suggested as to what should constitute the functions of an Industrial Council. This is a question which the employers and workpeople in each industry must settle for themselves.*



2. Regular consideration of wages, hours and working conditions in the industry as a whole.

3. The consideration of measures for regularising production and employment.

4. The consideration of the existing machinery for the settlement of differences between different parties and sections in the industry, and the establishment of machinery for this purpose where it does not already exist, with the object of securing the speedy settlement of difficulties.

5. The collection of statistics and information on matters appertaining to the industry.

6. The encouragement of the study of processes and design and of research, with a view to perfecting the products of the industry.

7. The provision of facilities for the full consideration and utilisation of inventions and any improvement in machinery or method, and for the adequate safeguarding of the rights of the designers of such improvements, and to secure that such improvement in method or invention shall give to each party an equitable share of the benefits financially or otherwise arising therefrom.

8. Inquiries into special problems of the industry, including the comparative study of the organisation and methods of the industry in this and other countries, and where desirable the publication of reports.

9. The improvement of the health conditions obtaining in the industry, and the provision of special treatment where necessary for workers in the industry.

10. The supervision of entry into and training for the industry, and co-operation with the educational authorities in arranging education in all its branches for the industry.

11. The issue to the Press of authoritative statements upon matters affecting the industry of general interest to the community.

12. Representation of the needs and opinions of the industry to the Government, Government Departments and other authorities.

13. The consideration of any other matters that may be referred to it by the Government or any Government Department.

14. The consideration of the proposals for District Councils and Works Committees put forward in the Whitley Report, having regard in each case to any such organisations as may already be in existence.

NOTE.—*The following have also been included among the functions in some of the provisional constitutions which have been brought to the notice of the Ministry of Labour:—*

(i) The consideration of measures for securing the inclusion of all employers and workpeople in their respective associations.

(ii) The arrangement of lectures and the holding of conferences on subjects of general interest to the industry.

(iii) Co-operation with the Joint Industrial Councils for other industries to deal with problems of common interest.

#### (B) THE CONSTITUTION OF A JOINT INDUSTRIAL COUNCIL.

##### 1. Membership.

The Council shall consist of \_\_\_\_\_ members, appointed as to one half by Associations of Employers and as to the other half by Trade Unions.



## Associations of Employers.

## No. of Representatives.

- (1)  
(2)  
(3)  
&c.

Total ... ..

## Trade Unions.

- (1)  
(2)  
(3)  
&c.

Total ... ..

## 2. Reappointment.

The representatives of the said Associations and Unions shall retire annually, and shall be eligible for reappointment by their respective Associations and Unions. Casual vacancies should be filled by the Association concerned, which shall appoint a member to sit until the end of the current year.

## 3. Committees.

The Council may delegate special powers to any Committee it appoints.

The Council shall appoint an Executive Committee and may appoint such other Standing or Sectional Committee as may be necessary. It shall also have the power to appoint other Committees for special purposes. The Reports of all Committees shall be submitted to the Council for confirmation, except where special powers have been delegated to a Committee.

## 4. Co-opted Members.

The Council shall have the power of appointing on Committees or allowing Committees to co-opt such persons of special knowledge not being members of the Council as may serve the special purposes of the Council, provided that so far as the Executive Committee is concerned—

- (a) the two sides of the Council shall be equally represented, and  
(b) any appointed or co-opted members shall serve only in a consultative capacity.

*N.B.—It is desirable to take power to appoint representatives of scientific, technical and commercial Associations upon Committees and Sub-Committees of the Council, and the above clause would give this power.*

## 5. Officers.

The officers shall consist of a Chairman or Chairmen, a Vice-Chairman, a Treasurer and a Secretary or Secretaries.

## (1) The Chairmen.

*N.B.—The Whitley Report suggests that the appointment of a Chairman or Chairmen should be left to the Council, who may decide that there should be—*

- (i) a Chairman for each side of the Council,  
(ii) a Chairman and Vice-Chairman selected from the members of the Council (one from each side of the Council),  
(iii) a Chairman chosen by the Council from independent persons outside the industry, or  
(iv) a Chairman nominated by such persons or authority as the Council may determine, or failing agreement, by the Government.

## (2) Secretary.

The Council shall be empowered to maintain a Secretary or Secretaries and such clerical staff as it may think fit.

All honorary officers shall be elected by the Council for a term of one year.



### 6. Meetings of the Council.

The ordinary meetings of the Council shall be held as often as necessary and not less than once a quarter. The meeting in the month of shall be the annual meeting. A special meeting of the Council shall be called within days of the receipt of a requisition from any of the constituent Associations or from the Executive Committee. The matters to be discussed at such meetings shall be stated upon the notice summoning the meeting.

### 7. Voting.

The voting both in Council and in Committees shall be by show of hands or otherwise as the Council may determine. No resolution shall be regarded as carried unless it has been approved by a majority of the members present on each side of the Council.

### 8. Quorum.

The quorum shall be members on each side of the Council.

### 9. Finance.

The expenses of the Council shall be met by the Associations and Trade Unions represented.

## APPENDIX II.

### MINISTRY OF LABOUR.

#### WORKS COMMITTEES.

SUGGESTIONS PREPARED (IN 1920) BY THE MINISTRY OF LABOUR AS TO THE CONSTITUTION AND FUNCTIONS OF WORKS COMMITTEES IN INDUSTRIES IN WHICH NATIONAL JOINT INDUSTRIAL COUNCILS ARE ESTABLISHED.

*The differing circumstances of different industries make it impossible to devise any scheme suitable to every industry. Again, the type of Works Committee suitable will vary with the size of the firm and the form taken by organisation among the employees. In preparing a scheme, therefore, the machinery outlined in the following suggestions may require to be adapted in greater or lesser degree if the general objects for which Works Committees are recommended are to be attained. At the same time, anything that is done—whether or not it is embodied in the Works Rules drawn up by the Works Committee—must be consistent with the principles of the collective agreements accepted by the District and National Authorities. For this reason steps should be taken to secure the closest possible connection between the Works Committee and the District and National Councils.*

#### OBJECTS.

1. The object of the Works Committee is to provide a recognised means of consultation between the management and the employees, and

- (i) to give the employees a wider interest in and greater responsibility for the conditions under which their work is performed,
- (ii) to enforce the regulations contained in collective agreements drawn up by District and National Authorities,
- (iii) to prevent friction and misunderstanding.

#### FUNCTIONS.

2. Matters to be dealt with by the Works Committee shall include:—

*(This list of functions is not meant to be exhaustive. Almost every industry has rules or customs which arise from the particular conditions under which the work of the industry is carried on (e.g., the payment of "dirty money," provision of tools, allowances for working away from the works or from home, allowances on standard district piece prices for deficiencies in material or machinery, &c.). In a well-regulated industry many such matters will be subject to district or national agreements, and the powers of a Works Committee will be limited in the same*



manner as they will be in regard to the more general questions of district or national agreement (standard rates, piece prices, normal hours, over-time, &c.). No attempt has been made to include such questions as arise only in some industries, for which each National Council concerned will have to decide upon a method of regulation, including the powers to be vested in Works Committees.)

- (a) The issue and revision of works rules.
- (b) The distribution of working hours; breaks; time recording, &c.
- (c) The method of payment of wages (time, form of pay ticket, &c.); explanation of methods of payment; the adjustment of piece prices, subject to district or national agreements; records of piece prices; deductions, &c.
- (d) The settlement of grievances.
- (e) Holiday arrangements.
- (f) Questions of physical welfare (provision of meals, drinking water, lavatories and washing accommodation, cloakrooms, ventilation, heating, lighting and sanitation; accidents, safety appliances, first aid, ambulance, &c.).
- (g) Questions of discipline and conduct as between management and workpeople (malingering; bullying; time keeping; publicity in regard to rules; supervision of notice boards, &c.).
- (h) Terms of engagement of workpeople.
- (i) The training of apprentices and young persons.
- (j) Technical library; lectures on the technical and social aspects of the industry.
- (k) Suggestions of improvements in method and organisation of work; the testing of suggestions.
- (l) Investigation of circumstances tending to reduce efficiency or in any way to interfere with the satisfactory working of the factory.
- (m) Collections (for clubs, charities, &c.).
- (n) Entertainments and sports.
- (o) The provision of facilities for the employees' side of the Joint Committee (or of a departmental committee, if any) to conduct its own work.

*(It may be found necessary to leave certain questions to be settled not by the whole Works Committee, but by a sub-committee of it on which the workers' representatives are drawn only from the particular department or section directly concerned, for example, a piecework question in one department of a works which is mainly on timework. The size of the works, also, is a factor which must be taken into account in considering the need for sub-committees. In some instances departmental sub-committees and in others functional sub-committees (e.g., a "Safety" Committee or a Welfare Committee) may best suit the circumstances. Even where definite sub-committees are not arranged for, work of the same kind as these would perform may often be carried out by consultation between the representatives of the management and the secretary of the workers' side, along with the representatives of a department.)*

3. The Works Committee shall not have any power to come to an agreement inconsistent with the powers or decisions of the District or National Councils or with any agreement between a trade union and the employers' association. Further, any agreement come to by a Work\* Committee may at any time be superseded by the District or National Council or by agreement between a trade union and the employers' association.

#### CONSTITUTION.

4. The Works Committee shall consist of        members, of whom shall represent the management and        shall represent the employees.

*(To have an equal number of members on the two sides would in most works be impracticable, and, in view of the suggested procedure, is unnecessary. The number required on the management side will vary, but 2, 3 or 4 is suggested as a suitable number. The number of employees'*



*representatives will vary with the size and complexity of the particular works. Some number from 5 to 12 is suggested as likely to suit most circumstances.)*

5. Either side shall have the right to add to its numbers representatives of the particular departments or sections of departments affected by a question under discussion and not directly represented on the Committee. The addition shall be made only for the period during which the question affecting the particular departments or sections of departments is before the Committee.

6. The representatives of the Management on the Committee shall be appointed by the firm.

*(Certain members of the managerial staff should form a constant nucleus of the management side. This nucleus should be made up of such individuals as a Managing Director, the Works Manager, and, where there is such an official, the Labour or Welfare Superintendent.)*

7. The employees' side of the Works Committee shall be Trade Union members, elected as hereinafter provided.

*(The National and District Councils are based solely upon the representation of organisations. In the case of the works, in order to secure cohesion of policy as between the Works Committee and the District and National Councils, it is advisable that the Works Committee should normally be based on a recognition of the workpeople's organisations. But, in particular factories where the employees are not strongly organised, or where the functions of the Works Committee are such as to require the presence of workers who are not organised, it may be found necessary to depart from the principle laid down above. In these circumstances, however, the shop stewards, or other trade union representatives in the works, should be consulted on all questions affecting district or national agreements. Any deviation from the general scheme should be adopted only after approval by the Industrial Council on a consideration of the merits of the case.)*

8. Employee members shall hold office for a period of 12 months ending on the            day of            in each year. On any representative leaving the employment of the firm or resigning his position as member, a successor shall be appointed in the ordinary way by the department or section concerned, to hold office for the remainder of the term.

#### ELECTIONS.

9. Elections of employees' representatives on the Works Committee shall be held in the month of            in each year.

*(Each works should draw up a scheme of constituencies and a method of election to suit its own particular conditions. It is suggested that a provisional committee should be appointed for this purpose. The representation should normally be on the basis of departments, due allowance being made for the various sections of workers engaged in any department. In order that this may not sometimes necessitate a Committee of unwieldy size, it is suggested that for large or complex works the employees' side of the Joint Committee should be appointed by and from a larger body of workers' representatives elected from the various departments. In large works it will probably be found desirable to establish departmental committees, with a Works Committee representative of all the departments chosen from the departmental committees. In such cases, the functions of the departmental committees will be confined to matters affecting the department only, whilst the Works Committee will consider questions affecting more than one department or the whole works. The workers' side of a departmental committee should be so elected as to give representation to each of the various sections of workers engaged in the department.)*

10. The election should be by ballot, or by departmental or sectional meetings specially convened for the purpose.

11. A serving member of the Committee shall be eligible for re-election.



## OFFICERS.

12. The Works Committee shall appoint a Chairman and a Vice-Chairman from the two sides respectively. Each side shall appoint its own Secretary.

## PROCEDURE.

13. Meetings of the Works Committee shall be held at regular intervals of <sup>(two)</sup>  
~~(four)~~ weeks. The meetings shall be held during working hours.

14. Special meetings of the Works Committee shall be called at hours' notice on a request on behalf of one side by its secretary to the secretary of the other side.

15. The agenda of business shall be submitted by the secretaries to each member of the Committee at least        hours before a meeting, except in the case of special meetings.

16. No business other than that appearing on the agenda shall be transacted at any meeting unless both sides agree to its introduction.

17. When an individual employee desires to bring any question before the Committee, he or she should report to his or her departmental or sectional representative, who in the case of grievances shall endeavour to reach a settlement. Failing a settlement, the representative shall inform the employees' secretary. The latter shall endeavour to arrange a settlement. Failing a settlement, the question shall come before the Works Committee.

18. In the course of his duties the secretary of the employees' side should have the right to enter any department in the works, and the representative of any department or section the right to enter the department in which the secretary is at work.

19. Facilities should be provided for meetings of the employees' side of the Committee in the works, normally after working hours or during meal hours.

20. The workers' representatives should be paid at their ordinary rate for time spent at meetings of the Works Committee.

21. Duplicate books of minutes should be kept, one by the Secretary of each side.

22. Copies of the minutes of all meetings of the Works Committee must be sent to the Secretaries of the District Council within 7 days of the date of meeting.

23. Decisions shall be arrived at only by agreement between the two sides.

24. The presence of        members from each side of the Committee shall be necessary to form a quorum.

25. In the event of any matter arising which the Committee cannot agree upon, the officials of the trade union or unions concerned shall negotiate with the firm, or, if desired, with the officials of the employers' association. The question may thereafter be referred by either side to the District Council.

26. The recognised district official of any trade union or employers' association concerned may attend any meeting in an advisory capacity.

ALTHOUGH THE ABOVE SUGGESTIONS HAVE BEEN PREPARED AS A GUIDE IN FRAMING A CONSTITUTION FOR A WORKS COMMITTEE IT IS RECOGNISED THAT THE DETAILS OF SUCH A CONSTITUTION MUST VARY TO MEET THE CONDITIONS AND REQUIREMENTS OF PARTICULAR WORKS. THE ASSISTANCE OF OFFICERS OF THE MINISTRY OF LABOUR WITH EXPERIENCE OF WORKS COMMITTEES IS AVAILABLE IN CONNECTION WITH THE DRAFTING OF CONSTITUTIONS AND THE SETTING UP OF WORKS COMMITTEES.



## APPENDIX III.

## MEMORANDUM OF AGREEMENT

between

ENGINEERING AND ALLIED EMPLOYERS'  
NATIONAL FEDERATION

and

THE AMALGAMATED ENGINEERING UNION,  
THE NATIONAL UNION OF FOUNDRY WORKERS and THE  
CONFEDERATION OF SHIPBUILDING & ENGINEERING UNIONS.  
CONSTITUTION OF JOINT PRODUCTION CONSULTATIVE AND ADVISORY  
COMMITTEES.

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:—

I. *Name.*

1. The name of the Committee shall be "The Joint Production Consultative and Advisory Committee" (referred to hereinafter as "The Committee").

II. *Object.*

2. The object is to establish in federated establishments consultative and advisory Committees for the regular exchange of views between the Management and the Workers on matters relating to the improvement of production, to increase efficiency for this purpose and to make recommendations thereon.

Where machinery exists satisfactory to the Federation and the Trade Unions, and where it is agreed that such machinery should be used, no further step need be taken.

The provision of a Production Advisory Committee shall not be considered as necessary, except by mutual desire, in establishments employing less than 150 workpeople.

III. *Functions.*

3. The functions of the Committee shall be to consult and advise on matters relating to production and increased efficiency for this purpose, in order that maximum output may be obtained from the Factory. Illustrative of the questions to be considered and discussed are (a) maximum utilisation of existing machinery; (b) upkeep of fixtures, jigs, tools and gauges; (c) improvement in methods of production; (d) efficient use of the maximum number of productive hours; (e) elimination of defective work and waste; (f) efficient use of material supplies and (g) efficient use of safety precautions and devices.

IV. *Limitation of Functions.*

4. The Committee shall not discuss matters which are trade questions such as wages, and like subjects, or which are covered by agreements with trade unions or are normally dealt with by the approved machinery of negotiation.

V. *Management Representatives.*

5. The Management shall nominate their representatives who shall not exceed the number appointed by the workers.

VI. *Workers' Representatives.*

6. *Number.*—Representatives of the workers shall be elected by ballot conducted jointly by the management and the Union representatives in the shops, and shall cover, as far as possible, the various shops, departments, or sections of the factory. The Committee shall be as small as possible subject to effective representation and shall not in any case exceed 10 on either side.



7. *Eligibility.*—(a) *For membership of the Committee.* All adult organised workers with not less than two years' continuous service at the factory concerned shall be eligible for election. In the case of establishments which have been in operation for less than two years, the service qualification may be reduced accordingly.

(b) *To vote in the elections.*—Workpeople's representatives on these Committees shall be elected by ballot as outlined in clause 6 and voting is open to all adult workers.

8. *Filling Vacancies.*—In the event of a worker-representative on the Committee ceasing to be employed in the establishment or being transferred to another Shop or Department or retiring, a successor shall be elected by ballot as provided for in paragraph 6.

9. *Power to Co-opt.*—The representatives of the management or of the workpeople shall have the right to co-opt, in a consultative capacity, persons employed in the establishment having a particular knowledge of a matter under discussion. Such co-opted persons shall be present for the period only during which the particular question is before the Committee.

#### VII. *Officers.*

10. *Chairman.*—The Chairman of the Committee shall be appointed by the Management and in the event of his being unable on any occasion to act as Chairman, he shall nominate his Deputy.

11. *Secretariat.*—The Management and the Workers' sides of the Committee shall each appoint a Secretary from its respective members of the Committee. Such Secretaries shall act as joint Secretaries to the Committee.

#### VIII. *Meetings of the Committee*

12. Meetings of the Committee shall be held once a month. Additional meetings shall be held when it is mutually agreed they are necessary.

13. *Accommodation for Meetings.*—Accommodation for holding meetings of the Committee will be provided by the Management.

14. *Payment for Attendance.*—Workers representatives on the Committee shall be paid not less than their time rate of wages including national bonus for the time spent in attendance at meetings.

#### IX. *Agenda for Meetings of the Committee.*

15. Items for the Agenda shall be submitted to the Joint Secretaries not less than four days before a meeting and the Agenda shall be issued by them at least three days before the meeting, except in the case of special meetings.

#### X. *Minutes.*

16. The Joint Secretaries of the Committee shall prepare and issue to the members of the Committee minutes of its proceedings.

#### XI. *Sub-Committees.*

17. The Committee shall have power to appoint joint Sub-Committees to deal with any particular question.

The Joint Secretaries of the Committee shall function in connection with the work of any such Sub-Committee and prepare a report or minutes of the proceedings of such Sub-Committee for submission to the Committee.

#### XII. *Recommendation.*

18. There shall be from the Federation a strong recommendation of these proposals to the Federated Employers.

#### XIII. *Duration.*

19. This agreement shall terminate at the cessation of hostilities.

The question of any continuance beyond this point shall be the subject of mutual discussion.



Signed on behalf of—

*Engineering and Allied Employers' National Federation:*

G. E. BAILEY, President.  
ALEXANDER RAMSAY, Director.  
ALEX. C. LOW, Secretary.

*National Union of Foundry Workers:*

WM. WALLACE.  
A. WILKIE, General Secretary.

*Amalgamated Engineering Union:*

JACK TANNER, President.  
FRED A. SMITH, General Secretary.

*Confederation of Shipbuilding and Engineering Unions:*

HARRY N. HARRISON, President.  
MARK HODGSON, Group Chairman.

London, 18th March, 1942.

APPENDIX IV

THE INDUSTRIAL COURTS ACT, 1919.

INDUSTRIAL COURT (PROCEDURE) RULES, 1920.

DATED FIFTEENTH DAY OF MARCH, 1920. MADE BY THE MINISTER OF LABOUR BY VIRTUE OF POWERS VESTED IN HIM BY THE INDUSTRIAL COURTS ACT, 1919, AND OF ALL OTHER POWERS ENABLING HIM IN THAT BEHALF.

1. In these Rules:—  
the expression "Act" means the Industrial Courts Act 1919; and  
the expression "Minister" means the Minister of Labour; and the  
expression "Court" means the Industrial Court established by the  
Act and includes, unless the contrary intention appears, any division  
thereof and any single member of the Court to whom a matter may  
be referred for determination, and the expression "President" means  
the President of the Industrial Court; and the expression "Division"  
means any group of members of the Court constituted as the President  
may direct to hear and determine any matter referred to the Court.
2. The Court may sit in two or more divisions.
3. Any matter referred to the Court for settlement may at the discretion  
of the President be heard and determined by a single member of the  
Court.
4. The Court may, at the discretion of the President, in any matter  
in which it appears expedient to do so call in the aid of one or more  
assessors and may settle the matter wholly or partially with the assistance  
of such assessor or assessors.
5. The Court may with the consent of the parties act notwithstanding  
any vacancy in their number and no act, proceeding, or determination of  
the Court shall be called in question or invalidated by reason of any  
such vacancy, provided such consent has first been obtained.
6. The Court may correct in any award any clerical mistake or error  
arising from an accidental slip or omission.
7. If any question arises as to the interpretation of any award of the  
Court the Minister or any party to the award may apply for a decision  
on such question and the Court shall decide the matter after hearing  
the parties, or without such hearing, provided the consent of the parties  
has first been obtained. The decision of the Court shall be notified to  
the parties and shall be final in the same manner as the decision in an  
original award.
8. Persons may appear by counsel or solicitor on proceedings before the  
Court with the permission of the Court.
9. Subject to these rules the Court may regulate their own procedure as  
they think fit.



10. These Rules may be cited as the Industrial Court (Procedure) Rules, 1920.

GIVEN UNDER THE OFFICIAL SEAL OF THE MINISTER OF LABOUR THIS FIFTEENTH DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND TWENTY.

SEAL.

(Signed) D. J. SHACKLETON,  
Secretary.

## APPENDIX V

STATUTORY RULES AND ORDERS 1944 No. 461.  
ORDER AMENDING REGULATION 1A OF THE DEFENCE (GENERAL) REGULATIONS, 1939, AND ADDING REGULATION 1AA TO THOSE REGULATIONS.

1. In Regulation one A of the Defence (General) Regulations, 1939 (which, amongst other things prohibits acts calculated to prevent or interfere with the carrying on of their work by persons engaged in the performance of essential services), for the words "Provided that a person shall not be guilty of an offence against this Regulation by reason only of his taking part in, or peacefully persuading any other person to take part in, a strike", there shall be substituted the following words:—

"Provided that no person shall be deemed to have committed an offence against this Regulation by reason only of his having, in the course of a strike, ceased to work or refused to continue to work or to accept employment.

In this Regulation the expression 'strike' has the same meaning as in Regulation one AA of these Regulations."

2. After the said Regulation one A there shall be inserted the following Regulation:—

"1AA.—(1) No person shall declare, instigate or incite any other person to take part in, or shall otherwise act in furtherance of, any strike among persons engaged in the performance of essential services, or any lockout of persons so engaged:

Prohibition of strikes and lockouts likely to interfere with essential services.

Provided that no person shall be deemed to have committed an offence against this Regulation by reason only of—

(a) his having ceased work or refused to continue to work or to accept employment; or

(b) any act done by him at a meeting of members of a trade union to which he belongs or of two or more trade unions to one of which he belongs, being a meeting duly summoned by some person authorised to summon it either by the rules, or by the executive or other governing body, of that trade union or those trade unions or any federation of trade unions to which those trade unions belong.

(2) Any person convicted of an offence against this Regulation shall, if convicted on indictment, be liable to penal servitude for any term not exceeding five years, or to a fine not exceeding five hundred pounds, or to both such penal servitude and such fine.

(3) A prosecution for an offence against this Regulation shall not be instituted except by or with the consent of the Director of Public Prosecutions.

(4) For the purposes of this Regulation—

(a) the expression 'lock out' means the closing of a place of employment or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him in consequence of a dispute, done with a view to compelling those

Note as to S.R. & O. 1944 No. 461.—New Regulation 1AA, paragraph (1)—The "essential services" referred to in this paragraph are defined by Reg. 100 (1) as meaning "services essential for the defence of the realm or the prosecution of the war or essential to the life of the community."

As to proviso (a),—a person who ceases work or refuses to continue to work or to accept employment, though not guilty of an offence against this Regulation, may infringe Art. 4 of the Conditions of Employment and National Arbitration Order, 1940 (S.R. & O. 1940 No. 1305) and thereby become guilty of an offence against Reg. 58AA.

As to proviso (b),—under Reg. 100 (1A), an act done includes a statement made.



persons, or to aid another employer in compelling persons employed by him, to accept terms or conditions of or affecting employment;

(b) the expression 'strike' means the cessation of work by a body of persons employed in any trade or industry acting in combination, or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept employment;

(c) the expression 'trade union' means any combination which is by virtue of section two of the Trade Union Act, 1913, a trade union for the purpose of the Trade Union Acts, 1871 to 1927.

(5) In the application of this Regulation to Scotland, paragraph (3) shall be omitted."

## APPENDIX VI.

### LIST OF TRADE BOARDS ESTABLISHED UNDER TRADE BOARDS ACTS, 1909 AND 1918

(as at June, 1944)

Aerated Waters (England and Wales).  
 Aerated Waters (Scotland).  
 Baking (England and Wales).  
 Baking (Scotland).  
 Boot and Floor Polish (Great Britain).  
 Boot and Shoe Repairing (Great Britain).  
 Brush and Broom (Great Britain).  
 Button Manufacturing (Great Britain).  
 Chain (Great Britain).  
 Coffin Furniture and Cerement Making (Great Britain).  
 Corset (Great Britain).  
 Cotton Waste Reclamation (Great Britain).  
 Cutlery (Great Britain).  
 Dressmaking and Women's Light Clothing (England and Wales).  
 Dressmaking and Women's Light Clothing (Scotland).  
 Drift Nets Mending (Great Britain).  
 Flax and Hemp (Great Britain).  
 Fur (Great Britain).  
 Furniture Manufacturing (Great Britain).  
 Fustian Cutting (Great Britain).  
 General Waste Materials Reclamation (Great Britain).  
 Hair, Bass and Fibre (Great Britain).  
 Hat, Cap and Millinery (England and Wales).  
 Hat, Cap and Millinery (Scotland).  
 Hollow-ware (Great Britain).  
 Jute (Great Britain).  
 Keg and Drum (Great Britain).  
 Lace Finishing (Great Britain).  
 Laundry (Great Britain).  
 Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods (Great Britain).  
 Made-up Textiles (Great Britain).  
 Milk Distributive (England and Wales).  
 Milk Distributive (Scotland).  
 Ostrich and Fancy Feather and Artificial Flower (Great Britain).  
 Paper Bag (Great Britain).  
 Paper Box (Great Britain).  
 Perambulator and Invalid Carriage (Great Britain).  
 Pin, Hook and Eye and Snap Fastener (Great Britain).  
 Ready-made and Wholesale Bespoke Tailoring (Great Britain).  
 Retail Bespoke Tailoring (England and Wales).  
 Retail Bespoke Tailoring (Scotland).  
 Rope, Twine, and Net (Great Britain).  
 Rubber Manufacturing (Great Britain).  
 Rubber Reclamation (Great Britain).  
 Sack and Bag (Great Britain).



Shirtmaking (Great Britain).  
 Stamped or Pressed Metal Wares (Great Britain).  
 Sugar Confectionery and Food Preserving (Great Britain).  
 Tin Box (Great Britain).  
 Tobacco (Great Britain).  
 Toy Manufacturing (Great Britain).  
 Wholesale Mantle and Costume (Great Britain).

Address of Secretary of Trade Boards :—

Ebury Bridge House,  
 Ebury Bridge Road,  
 London, S.W.1.

#### APPENDIX VII.

##### DRAFT CONVENTIONS OF THE INTERNATIONAL LABOUR CONFERENCE.

During the twenty-five Sessions held from 1919 to 1939 the Conference has adopted 67 Draft Conventions embodying the following main principles:—

##### First Session, 1919

- (1) *Hours of work* in industry should not exceed *eight* per day and *forty-eight* per week.
- (2) A system of *free employment offices* under public control should be established.
- (3) Women should not be employed in industry or commerce for six weeks before and six weeks after *childbirth*, and should be paid maternity benefits.
- (4) *Women* should not work in industry at *night*.
- (5) *Children under fourteen* should not be employed in industry.
- (6) No one under *eighteen* should be employed in industry at *night*.

##### Second (Maritime) Session, 1920

- (7) *Children under fourteen* should not be employed on *vessels*.
- (8) *Shipwrecked sailors* should be paid while unemployed.
- (9) *Free employment agencies* should be provided for *seamen*.

##### Third Session, 1921

- (10) *Children under fourteen* should not be employed in *agriculture* if their school attendance would suffer thereby.
- (11) *Agricultural workers* should have the same *right to organise* as industrial workers.
- (12) *Agricultural workers* should be included in the operation of *workmen's compensation laws*.
- (13) The use of *white lead* in painting should be restricted.
- (14) All *industrial workers* should have a *weekly day of rest*.
- (15) No one under *eighteen* should work as a trimmer or stoker on a *vessel*.
- (16) *Seafarers under eighteen* should have a yearly certificate of physical fitness.

##### Fourth, Fifth and Sixth Sessions, 1922-1924

At these Sessions the Conference adopted Recommendations only, in order to give States time to consider and act on the Conventions already adopted.

##### Seventh Session, 1925

- (17) *Workmen's compensation* should be paid for *industrial accidents*.
- (18) *Workmen's compensation* should be paid for *occupational diseases*.
- (19) *Foreigners* should have *equality* with nationals as regards *accident compensation*.
- (20) *Night work in bakeries* should be forbidden.

##### Eighth Session, May-June 1926

- (21) *Inspection of emigrants* on board ship should be simplified.



## Ninth (Maritime) Session, June 1926

- (22) The completion and enforcement of *seamen's articles of agreement* should be subject to public supervision.
- (23) *Seamen* discharged abroad should be *repatriated*.

## Tenth Session, 1927

- (24) *Compulsory sickness insurance* should be established for *industrial and commercial workers* and *domestic servants*.
- (25) *Compulsory sickness insurance* should be established for *agricultural workers*.

## Eleventh Session, 1928

- (26) *Minimum-wage-fixing machinery* should be created in underpaid trades.

## Twelfth Session, May-June 1929

- (27) The *weight* should be marked on *heavy packages* transported by water.
- (28) Measures should be taken to *safeguard dockers* when loading or unloading ships.

## Thirteenth (Maritime) Session, October 1929

At this Session the Conference completed the first discussion of four questions concerning maritime employment and decided that they should be placed on the agenda of a future Session

## Fourteenth Session, 1930

- (29) *Forced or compulsory labour* for *Natives* in colonial territories should be *abolished*.
- (30) *Hours of work* for salaried employees should not exceed *forty-eight* per week and, in general, *eight* per day.

## Fifteenth Session, 1931

- (31) The *time spent* by each worker in an *underground coal mine* not to exceed seven hours and three-quarters in one day.

## Sixteenth Session, 1932

- (32) The Conference revised Convention No. 28, passed in 1929, on certain points.
- (33) *Children under fourteen* should not be employed in *non-industrial occupations*.

## Seventeenth Session, 1933

- (34) *Fee-charging employment agencies* to be *abolished*.
- (35) A system of *compulsory old-age insurance* to be established for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants.
- (36) A system of *compulsory old-age insurance* to be established for persons employed in agricultural undertakings.
- (37) A system of *compulsory invalidity insurance* to be established for persons mentioned in No. 35.
- (38) A system for *compulsory invalidity insurance* to be established for persons employed in agricultural undertakings.
- (39) A system of *compulsory widows' and orphans' insurance* to be established for persons mentioned in No. 35.
- (40) A system of *compulsory widows' and orphans' insurance* to be established for persons employed in agricultural undertakings.

## Eighteenth Session, 1934

- (41) The Conference revised Convention No. 4 on certain points which do not affect its main principle.
- (42) The Conference extended the list of *occupational diseases* for which *compensation* should be paid, under Convention No. 18 *Silicosis* and other diseases were added.
- (43) *Hours of work* and *rest periods* in *automatic glass works* should be regulated on a basis of *42 working hours* to the average week.
- (44) A system of *unemployment insurance* should be established.



## Nineteenth Session, 1935

- (45) Employment of *women underground in mines* should be *prohibited*.
- (46) The Conference revised Convention No. 31 on certain points which do not affect its main principle.
- (47) The Conference adopted *the principle of the 40-hour week*, at the same time providing for *maintenance of the standard of living of the workers*.
- (48) Workers *transferring their residence from one country to another* should retain their *pension rights*.
- (49) *Hours of work and rest periods in glass-bottle works* should be regulated on the basis of *42 working hours to the average week*.

## Twentieth Session, 1936

- (50) The *recruiting of native workers* should be regulated.
- (51) Employees in industry and commerce should have at least 6 days *annual leave with pay*.
- (52) A *40-hour week* should be applied on *public works*.

## Twenty-first (Maritime) Session, 1936

- (53) Masters and officers should have *certificates of competency*.
- (54) Masters and officers should have at least 12 days' *annual leave with pay* and seamen 9 days.
- (55) The shipowners should be liable in case of *sickness or injury of seamen*.
- (56) *Compulsory sickness insurance* should be established for persons employed at sea.
- (57) *Hours of work at sea* should be fixed on the basis of an *8-hour day* and *adequate manning scales* should be observed.

## Twenty-second (Maritime) Session, 1936

- (58) *Children under 15* should not be employed on *vessels* (revision of No. 7).

## Twenty-third Session, 1937

- (59) *Children under 15* should not be employed in *industry* (revision of No. 5).
- (60) *Children under 15* should not be employed in *non-industrial occupations* (revision of No. 33).
- (61) A *40-hour week* should be applied in the *textile industry*.
- (62) *Safety provisions* should be observed in the *building industry*.

## Twenty-fourth Session, 1938

- (63) *Statistics of hours of work and wages* should be compiled on a uniform basis and communicated periodically to the I.L.O.

## Twenty-fifth Session, 1939

- (64) *Contracts of employment of indigenous workers* should be regulated.
- (65) *Penal sanctions for breaches of contract* to which the Convention applies should be abolished progressively and as soon as possible. Penal sanctions for any such breach by a non adult person should be abolished immediately.
- (66) The *recruitment, placing and conditions of labour of migrants for employment* should be regulated.
- (67) The *hours of work and rest periods of professional drivers* (and their assistants) of *road transport vehicles* should be regulated.

## Twenty-sixth Session, 1944

At this Session the Conference adopted Recommendations only.



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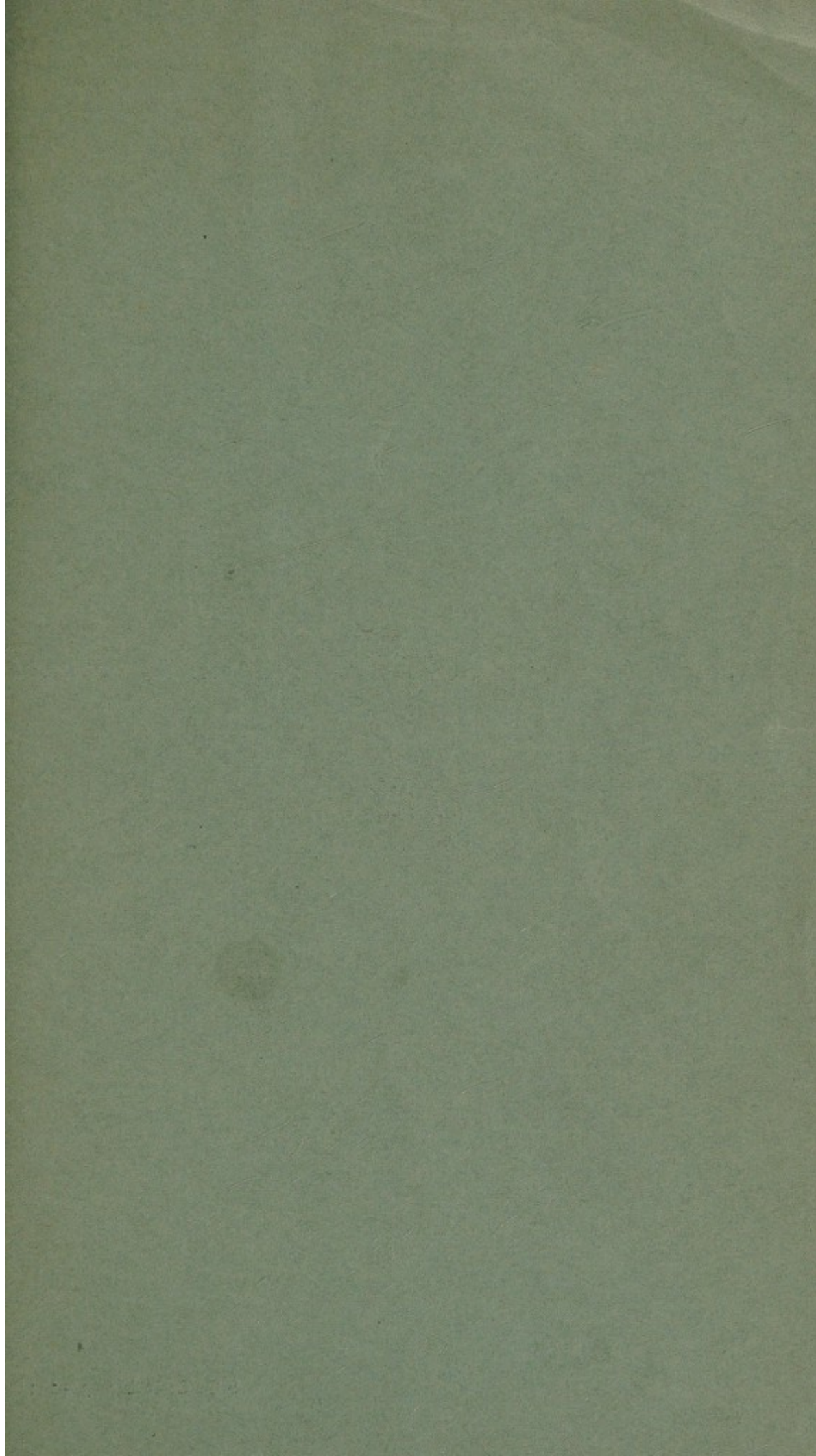
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