NCIR
NCI Library
3 9006 01043367 2

NATIONAL COLLEGE
RN 6260
LIBRARY
OF INDUSTRIAL RELATIONS

STRIKE-FREE PROCEDURES: ARE THEY WHAT THEY SEEM?

Roy Lewis

WARWICK PAPERS IN INDUSTRIAL RELATIONS

Number 20

January 1988

£1.00

Industrial Relations Research Unit
School of Industrial and Business Studies
University of Warwick
Coventry

The Unit contains within it the Designated Research Centre in Industrial Relations Research, funded by the Economic and Social Research Council.

This book is due for return on or before the last date shown below.

-2 DEC 1993

Don Gresswell Ltd., London, N.21 Cat. No. 1208 DG 02242/

Record No: 331.0941
Dewey No: R129
Date Input: —
Price: ....

(C) 1987 Industrial Relations Research Unit.

Except for the quotation of short passages, no part of this publication may be reproduced, stored in a retrieval system, or otherwise transmitted without prior approval of the Industrial Relations Research Unit. Permission for bona fide teaching purposes will not be unreasonably refused.

Orders for Warwick Papers in Industrial Relations and requests for details of previous publications should be addressed to The Administrative Officer, Industrial Relations Research Unit, University of Warwick, Coventry, CV4 7AL.

NATIONAL COLLEGE
RN 6260
LIBRARY
OF INDUSTRIAL RELATIONS

APPENDIX

Extract from the Employee Agreement relating to the General Motors' Luton Van and Press Plant.

10. Negotiations and Resolution of Collective Issues

10.1 The Company Joint Council will be the forum in which, in round table style, confrontation and disputes will be avoided and in which all negotiations between the Company and the Unions will take place.

10.2 However, if in exceptional circumstances, a claim difference or dispute is not resolved, it will be referred to the Advisory, Conciliation and Arbitration Service for resolution. In the event of conciliation having failed, the parties concerned may agree to arbitration.

10.3 Whenever arbitration is agreed, the following provisions will apply:

(i) the arbitrator will be appointed by ACAS
(ii) the terms of reference and the form of arbitration (conventional or pendulum) will be agreed for each case
iii) the parties to the arbitration agree to accept and to abide by the award of the arbitrator
(iv) the award of the arbitrator will be legally binding on the Company and the Unions and will be incorporated (as appropriate) into the respective contracts of employment of the Employees of the Company.

10.4 The Company and the Unions agree that until all negotiation, conciliation and, where agreed, arbitration have been completed neither party will engage in or participate in industrial action of any kind.

10.5 The Unions agree that during the course of any such negotiation, conciliation or arbitration contemplated in this section:

(i) no Union will instigate, authorise, finance or support any strike or other industrial action of any kind whatsoever (including any go slow, work to rule, blacking or picketing and whether or not in contemplation or furtherance of a trade dispute and whether or not authorised or endorsed by any of the Unions following a ballot) and the Unions will require that none of their members do so either and

(ii) in the event of any such industrial action being contemplated or taken by all or any of the Employees of the Company the relevant Union(s) will ensure that its ruling body immediately instructs the relevant Employees to return to normal working.

10.6 There shall be expressly incorporated into the contract of each Employee a provision that during the course of any negotiations, conciliation or arbitration, he will not participate in any strike or other forms of industrial action.

BIBLIOGRAPHY

Advisory, Conciliation and Arbitration Service (ACAS). n.d. The ACAS Role in Conciliation, Arbitration and Mediation. London: ACAS.

-- 1985. Annual Report 1984. London:HMSO.

-- 1987. Annual Report 1986. London:HMSO.

Bassett, P. 1986. Strike Free: New Industrial Relations in Britain. London: Macmillan.

Burrows, G. 1986. No-Strike Agreements and Pendulum Arbitration. London: Institute of Personnel Management.

Central Arbitration Committee (CAC). 1985. Annual Report 1984. London: CAC.

Gorman, R.A. 1976. Basic Text on Labor Law: Unionization and Collective Bargaining. St Paul, Minnesota: West Publishing Company.

Hillage, J. 1985. 'No-Strike Deals ... Can They Really Work?' Manpower Policy and Practice, 1 (Autumn), 13-16.

Industrial Relations Review and Report (IR-RR). 'A Greenfield Agreement 15 Years On', 314, February 1984.

-- 'Pendulum Arbitration Put to the Test', 337, February 1985.

-- 'Sanyo Workers Reject EETPU Mediation Proposals', 345, June 1985.

-- 'Single Status, No-Strike Deals Spread into Steel?', 368, May 1986.

-- 'Pendulum Arbitration - The First Decision', 370, June 1986.

-- 'Iveco Ford - Pragmatism and Pendulum Arbitration', 396, July 1987.

Kessler, S. 1987. 'The Swings and Roundabouts of Pendulum Arbitration', Personnel Management (December) 38-42.

Wood, Sir John. 1985. 'Last Offer Arbitration.' British Journal of Industrial Relations, 23 (November), 415-24.