Royal Commission on Trade Unions and Employers' Associations

RESEARCH PAPERS

2
(Part 1)

Disputes Procedures in British Industry

by

A. I. MARSH

LONDON
HER MAJESTY'S STATIONERY OFFICE
PRICE 3*s.* 6*d.* NET

331.892 REF

NCI Library
3 9006 01052658 2

Royal Commission on Trade Unions and Employers' Associations

NATIONAL COLLEGE LIBRARY INDUSTRIAL RELATIONS
REFERENCE
REFERENCE LIBRARY
COLLEGE OF LIBRARY INDUSTRIAL RELATIONS

RESEARCH PAPERS
2
(Part 1)

Disputes Procedures in British Industry

by
A. I. MARSH
Senior Research Fellow in Industrial Relations,
St. Edmund Hall, Oxford

LONDON
HER MAJESTY'S STATIONERY OFFICE
1966

NATIONAL COLLEGE OF INDUSTRIAL RELATIONS
LIBRARY

FOREWORD

The present paper is the first of two dealing with disputes procedures in British industry prepared for the Royal Commission on Trade Unions and Employers' Associations by Mr. A. I. Marsh, Senior Research Fellow in Industrial Relations, St. Edmund Hall, Oxford.

In this paper Mr. Marsh discusses the general functions of disputes procedures in industrial relations systems and outlines the general features of such procedures in Britain together with some issues relating to them which are at present under consideration. In his second paper Mr. Marsh will analyse the procedural situation in a number of representative British industries, outline the principal difficulties which they are encountering and make suggestions for possible improvements.

The views expressed in this paper are of course those of Mr. Marsh and do not necessarily represent or foreshadow those of the Royal Commission.

Royal Commission on Trade Unions and Employers' Associations
Lacon House
July 1966

REFERENCE
N.C.I.R. REFERENCE LIBRARY

CONTENTS

	Paragraphs	Page
FOREWORD		iii
SUMMARY		vii
A. PROCEDURAL RULES IN INDUSTRIAL RELATIONS SYSTEMS	1–9	1
B. THE ANALYSIS OF PROCEDURAL RULES		
The Functions of Procedures	10–16	3
The Methods of Procedure	17–32	5
The Scope and Content of Procedures	33–40	8
The State and Procedure	41–45	10
C. PROCEDURAL RULES IN THE BRITISH SYSTEM		
The Pattern of Procedures	46–58	11
The Preference for Voluntary Rules	59–66	14
The Preference for Procedural over Substantive Rules	67–74	16
The Preference for General Procedures	75–77	17
The Flexibility of Workplace Procedures	78–82	18
The Decline of Formal Consultation	83–88	19
The Varying Effectiveness of Procedures	89–96	21
D. SOME CURRENT ISSUES IN PROCEDURES		
The Legal Enforcement of Procedures	97–111	22
How Much can be expected from Procedural Rules?	112–116	26
Can Voluntary Procedures be Improved?	117–120	27

N.C.I.R. REFERENCE

84208 A 2

© Crown Copyright 1966
Printed and published by
HER MAJESTY'S STATIONERY OFFICE

To be purchased from
49 High Holborn, London w.c.1
423 Oxford Street, London w.1
13A Castle Street, Edinburgh 2
109 St. Mary Street, Cardiff
Brazennose Street, Manchester 2
50 Fairfax Street, Bristol 1
35 Smallbrook, Ringway, Birmingham 5
80 Chichester Street, Belfast 1
or through any bookseller

Printed in England

S.O. Code No. 73-42-2-1