

Mr Duguid  
Mr Lalorick (cc)

PRIME MINISTER

PRIME MINISTER

Context, subject  
to colleagues' views?

① Who supervises?  
② Suppressing a majority - if the work is done  
(who refers to the Union) want such a  
ballot but the union does  
not vote for one?  
Could not the Union  
include provision  
for a ballot - under  
what circumstances?  
MS  
9/4  
not

EMPLOYMENT BILL: BALLOTS AT THE WORKPLACE

You will remember that at the meeting of "E" Committee last September (E (79)th) I referred to a suggestion - promoted by Lord Robens - to encourage work-place union ballots which would complement our intention to provide public funds for union postal ballots.

I have been discussing this with the CBI. They have now come forward with the firm proposal that a new provision be inserted in the Employment Bill which would put an obligation on an employer at the request of a union recognised by him to provide a place on his premises at which a secret ballot could be conducted at an appropriate time among the union's members in his employment.

I believe this is a useful idea worth incorporating in the Bill. It would give a further encouragement to union ballots at no cost to the Exchequer and little, if any, to employers; it is a limited facility but one which where requested and provided will enable the objectionable features of votes at mass meetings to be avoided; and it will help to dispel the notion that the Bill is a punitive anti-union measure.

The CBI do not believe that in general a provision on these lines would create difficulties for reasonable employers, but in response to potential concern from small employers have suggested that the new obligation should not be placed on them. Whilst I do not believe that there is any substantial ground for such concern, I am prepared to accept this limitation and accordingly propose that the new provision should not apply to firms with 20 or fewer employees. This would be consistent with the cut off for small firms already in the Bill in relation to unfair dismissal legislation.

With the agreement of colleagues I would therefore propose to put down



if possible at the end of this week an appropriate amendment to the Bill to be taken at Report Stage to give effect to this idea.

I am circulating this to members of E Committee and Sir Robert Armstrong.

JP

Department of Employment

[Approved by the Secretary  
of State and signed in  
his absence]

8 April 1980



1-8 APR 1980

~~CONFIDENTIAL~~



cc: - HO  
FCO  
C. Exch  
D. Ind  
L. Pres  
MAFF

Ind (B)  
Trade  
Energy  
Chief Sec

RH

10 DOWNING STREET

From the Private Secretary

10 April 1980

B/F 17-4-80

Employment Bill: Ballots at the Workplace

The Prime Minister has considered your Secretary of State's minute of 8 April on the above subject. She is in principle in favour of the CBI proposal that a new provision be inserted in the Bill which would oblige an employer at the request of a union recognised by him to provide a place on his premises at which a secret ballot could be conducted. But she has asked, firstly, who would supervise such a ballot; and secondly, what would happen if the majority of the workforce belonging to the union wanted a ballot but the union does not ask for one. She has suggested that, in order to deal with the later point, the clause might include provision for a ballot under those circumstances.

I am sending copies of this letter to the Private Secretaries of E Committee and David Wright (Cabinet Office).

T. P. LANKESTER

Andrew Hardman, Esq  
Department of Employment

~~CONFIDENTIAL~~

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