SCHEDULE

FOURTH SCHEDULE

PART I

Staff Officer
Assistant Staff Officer
Barrack Master
Pay Master
Assistant Pay Master
Headquarter Clerk
Special Service Driver

PART II

Adjutant

PART III

Sergeant Instructor
Sergeant Armourer
Full-time Sergeant
Full-time Constable (excluding Special Service Driver specified in Part I)
Full-time Clerk (excluding Headquarter Clerk specified in Part I)

ULSTER TRANSPORT AUTHORITY

Terms and Conditions of Employment

REGULATIONS,* DATED 25TH JUNE, 1951, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 40 OF THE TRANSPORT ACT (NORTHERN IRELAND), 1948, (a).

1951. No. 132

WHEREAS the Ministry of Commerce may make regulations providing for the establishment and maintenance of machinery for the following purposes :—

(*a*) the settlement by negotiation of terms and conditions of employment of persons or classes of persons employed by the Ulster Transport Authority (hereinafter referred to as " the Authority ") and the reference of such matters as may be agreed to arbitration in default of such settlement ;

(*b*) the promotion and encouragement of measures affecting the safety, health and welfare of persons or classes of persons employed by the Authority, and the discussion of other matters of common interest to the Authority and such persons :

AND WHEREAS the Confederation of Shipbuilding and Engineering Unions (Northern Ireland District Committee No. 43) representing the undermentioned Trade Unions namely Amalgamated Engineering Union, Amalgamated Society of Woodcutting Machinists, Amalgamated Society of Woodworkers, Amalgamated Transport and General Workers' Union, Amalgamated Union of Foundry Workers, Associated

(a) 12 Geo. 6 Ch. 16 (N.I.).

* These Regulations were approved in draft in accordance with subsection (3) of section 71 of the Transport Act (N.I.), 1948, by the Senate on the 24th July, 1951, and by the House of Commons on the 19th July, 1951.

Blacksmiths Forge and Smithy Workers' Society, Electrical Trades Union, National Society of Coppersmiths, Braziers and Metal Workers, National Society of Painters, National Union of Furnishing Trade Operatives, National Union of Sheetmetal Workers and Braziers, National Union of Vehicle Builders, Plumbing Trades Union, United Patternmakers' Association, and United Society of Boilermakers and Iron and Steel Shipbuilders, (hereinafter referred to as " the Trade Unions of the first part ") by their duly authorised officers have agreed with the Chairman of the Authority upon the machinery for those purposes :

AND WHEREAS the Ulster Transport and Allied Operatives Union (hereinafter referred to as " the Trade Union of the second part ") through its duly authorised officer has similarly agreed with the Chairman of the Authority upon the same machinery for those purposes :

AND WHEREAS the National Union of Railwaymen (hereinafter referred to as " the Trade Union of the third part ") through its duly authorised officer has also similarly agreed with the Chairman of the Authority upon the same machinery for those purposes :

NOW, THEREFORE, the Ministry of Commerce, by virtue of the powers conferred on it by Section 40 of the Transport Act (Northern Ireland), 1948, (hereinafter referred to as " the Act "), with the approval of the Ministry of Finance as respects the provision contained in Regulation 4 hereof, hereby makes the following Regulations :—

1. These Regulations may be cited as the Ulster Transport Authority (Terms and Conditions of Employment) (Northern Ireland) (No. 2) Regulations, 1951, and shall come into operation on the 25th day of July, 1951.

2. These Regulations shall apply to the persons (excluding Building Trade Operatives) employed under shop conditions on constructional, repair and maintenance work by the Authority known collectively as Shop Staffs and who are members of any of the Trade Unions of the first part, or the Trade Union of the second part, or the Trade Union of the third part.

3. The machinery set forth in Parts I and II of the Schedule hereto is hereby established for the purposes of Section 40 of the Act for the persons to whom these Regulations apply.

4. There shall be paid to the members of the Tribunal which may be established under paragraph 2 of Part I of the said Schedule such remuneration as the Ministry of Commerce, with the approval of the Ministry of Finance, may determine.

5. A copy of every agreement made under the provisions of Part I of the said Schedule and a copy of every decision given by the Tribunal which may be established thereunder shall be furnished to the Ministry of Labour and National Insurance.

6. All agreements relating to the terms and conditions of employment of the persons to whom these Regulations apply and subsisting respectively between the Authority and the Trade Unions of the first part, the Authority and the Trade Union of the second part and the Authority and the Trade Union of the third part at the date on which these Regulations come into operation shall remain in force until revoked or varied in accordance with the provisions hereof.

7. The Interpretation Act, 1921 (a), applies to the interpretation of these Regulations as it applies to an Act of the Parliament of Northern Ireland.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 25th day of June, One thousand, nine hundred and fifty-one, in the presence of

(L.S.) *Arthur Acheson Farrell,*
Assistant Secretary.

The provisions contained in the foregoing Regulation 4 are hereby approved by the Ministry of Finance for Northern Ireland this 25th day of June, One thousand nine hundred and fifty-one in the presence of

(L.S.) *G. N. Cox,*
Assistant Secretary.

SCHEDULE

PART I

MACHINERY FOR SETTLEMENT BY NEGOTIATION OF TERMS AND CONDITIONS OF EMPLOYMENT AND THE ESTABLISHMENT OF A TRIBUNAL FOR DETERMINATION OF MATTERS IN DISPUTE.

Main Agreements.

1. Proposals for Agreements or the variation of existing Agreements covering rates of pay and conditions of service shall, if made by a Trade Union or Unions, be submitted direct to the Authority by the Trade Union or Unions concerned on behalf of the workpeople to whom the machinery of negotiation herein provided is applicable or if made by the Authority be submitted to the Trade Union or Unions affected. Any such proposals may be dealt with in the first instance by negotiation between the Trade Union or Unions concerned and the Authority, or, alternatively, through the machinery hereinafter established for the purpose, and, if determined, shall be reduced to writing.

Constitution of Tribunal.

2. Matters not so settled may be referred by either party to the Tribunal hereby set up that is to say

The tribunal shall be composed of :—

(i) One member to be selected from time to time by the Authority from a panel previously nominated by them, and to serve until the particular issues referred have been decided.

(ii) One member to be selected from time to time by the Trade Unions from a panel previously nominated by them and to serve until the particular issues referred have been decided.

(a) 12 Geo. 5, Ch. 4 (N.I.)

(iii) A Chairman to be appointed by agreement between the Authority and the Trade Unions, or, failing agreement, to be appointed by the Minister of Labour and National Insurance, after consultation with the parties. The appointment may be for a specified period or for the hearing of particular issues.

Persons Ineligible.

3. No member or officer of the Authority and no official or member of the Trade Union or Unions concerned the members of which are employed by the Authority shall be eligible for appointment as a member of the Tribunal.

Assessors.

4. If any of the parties to the issue before the Tribunal should so desire, the Tribunal may be assisted by representatives of the parties sitting as Assessors, in which case the following provisions shall apply :—

(i) For the hearing of any issue each Trade Union party to the issue may nominate not more than one representative as an Assessor and the Authority may nominate not more than the same number in all.

(ii) Such Assessors shall be either officials of the Authority or officials or members of the Trade Union representing the employees of the Authority.

(iii) Such Assessors shall be present at the hearing of the issue, but shall not intervene in the proceedings otherwise than to put questions through the Chairman for the purpose of elucidating matters of fact.

(iv) In the private deliberations of the Tribunal the function of Assessors shall be to advise upon such matters as may be required of them by the Tribunal.

(v) Assessors shall not sign the decision.

Functions of the Tribunal.

5. The function and duty of the Tribunal shall be to hear and decide, in respect of employees to whom this Machinery is applicable, issues as to standard salaries, wages, hours of duty and other standard conditions of service, or any proposal to vary an Agreement between the Authority and the Trade Union or Unions concerned.

Issues not Referable.

6. No issue shall be referred to this Tribunal which has not previously been considered by the Shopmen's Council or discussed at Headquarters level between the Authority and the Trade Union or Unions concerned.

Terms of Reference to be Agreed.

7. No issue shall be referred to the Tribunal except upon agreed Terms of Reference.

Procedure for Submitting References.

8. The Authority or Trade Union or Unions concerned desiring to refer an issue to the Tribunal shall notify the Trade Union or Unions concerned or the Authority, as the case may be, and submit for their assent the proposed Terms of Reference.

Statement of Claim.

9. Within seven days of the adoption of agreed Terms of Reference the party or parties referring the claim shall submit to the party or parties opposing the claim a written statement setting out the main arguments in support of the claim, and, in cases in which existing Agreements are in dispute, all the material facts of the case and the documents relied upon.

Statement of Defence.

10. The party or parties opposing a claim to be referred to the Tribunal, on receipt of the written statement submitted by the claimants, shall prepare a written statement, setting out the main arguments in opposition to the claim, and, in cases in which existing Agreements are in dispute, all the material facts of the case, and the documents relied upon, and shall forward this statement together with the said documents within fourteen days of receipt of the statement of claim, to the party or parties submitting the claim.

Submission to the Tribunal.

11. The party or parties submitting the claim shall thereupon forward to the Tribunal, within seven days the agreed Terms of Reference and the statements of the claim and defence and the documents relied upon with a request that the Tribunal shall hear the parties on an early date or dates to be agreed. The Agreed Terms of Reference, the Statements of Claim and Defence and the respective documents relied upon shall constitute the matter to be decided upon by the Tribunal and no further documents, papers or memoranda shall be put in or submitted except by permission of the Tribunal and on such terms as it shall decide.

12. The cases of the parties shall be presented before the Tribunal by Officers of the Authority or of the Trade Union or Unions concerned respectively. Presentation of cases before the Tribunal.

13. Hearings before the Tribunal shall be private to the parties unless otherwise agreed by the Parties, or, failing agreement, unless otherwise decided by the Tribunal. Hearings to be Private unless otherwise agreed or decided.

14. Decisions of the Tribunal shall set out a summary of facts and arguments submitted by the parties, shall be printed and issued to the parties, and shall be published. Decisions, including Summary, to be Published.

Part II

Machinery for the promotion and encouragement of measures affecting the safety, health and welfare of shop staffs (excluding Building Trade Operatives) employed by the Authority and the discussion of other matters of common interest.

1. Matters affecting the promotion and encouragement of measures affecting the safety, health and welfare of the persons hereinafter mentioned employed by the Authority and the discussion of other matters of common interest to the Authority and such persons shall be dealt with under the machinery hereinafter set up and shall apply to negotiation and settlement of all questions relating to rates of pay, hours of duty and general conditions of employment, (other than matters of management and discipline) concerning the efficient working of the Industry, and of the staff employed under shop conditions (excluding Building Trade Operatives) on constructional, repair and maintenance work by the Authority including therein apprentices and youths employed under shop conditions provided that such apprentices and youths shall not be representatives nor shall they be at liberty to take part in the election of representatives to the Shop Committee or Works Committee. Such disqualification shall terminate on an apprentice or youth attaining the age of 21 years. Machinery of negotiation and the Persons to whom it shall apply.

2. In each Shop in which not less than fifteen workpeople are employed, a Shop Committee shall be established, consisting on the one side of representatives elected by the men on the basis of two representatives for each thirty employees or any part thereof up to a maximum of eight representatives, and on the other of representatives appointed by the Authority not exceeding the number of employees' representatives. Shop Committees.

3. The arrangements shall provide for election of representatives on a proportionate basis so far as possible of the various trades concerned.

4. At any works or depot where there are two or more Shops in the same department—in each of which less than fifteen workpeople are employed and the total number of workpeople is not less than fifteen—such Shops shall be grouped for the purpose of these regulations and one Shop Committee appointed to represent the whole of the work-people employed in the Shops within each group. Generally, the number of workpeople in each such group shall not exceed thirty.

5. The details of the grouping shall be mutually arranged with the management and representatives of the workpeople concerned; provided that when technical matters are involved the Shop Committee or Works Committee as the case may be shall have power to co-opt a member of the staff able to give expert advice.

6. If in any Works where there is only one Shop in which less than fifteen workpeople are engaged, it shall, for the purpose of election of a Shop Committee, be attached to such other appropriate Shop as may be agreed between the management and the work-people.

7. Where at a depot there is only one Shop or a group of Trades with a total number of workpeople of less than fifteen, the workpeople may appoint two of their number as representatives, who may be accompanied by a member of the Trade affected, to discuss with the local management matters within the scope of these Regulations, which cannot be settled with the foreman of the Shop.

8. Matters not settled by a Shop Committee may be referred to a Works Committee, or alternatively, to the Headquarters of the Trade Union concerned for discussion with the Authority.

9. A Works Committee shall be established where there are more than one Shop Committee at any Works or Depot in the same Department. The employees' side of a Works Committee shall consist of not more than two representatives from each Shop Committee with a maximum of twelve, and the Authority shall nominate representation not exceeding the number of employees' representatives on the Committee. Works Committees.

Functions of Shop Committees and Works Committees.

10. The function of Shop Committees or local representatives elected under paragraph 7 hereof and Works Committees shall be to consider and if possible determine the following matters :—

(i) Arrangement of working hours, meal intervals, etc.
(ii) Holiday arrangements.
(iii) Safety appliances, first aid, staff accommodation, health, welfare, etc., and vocational training.
(iv) Labour saving appliances, etc.
(v) Improvements in working methods and organisation and general efficiency, such as :—
Physical Supply of material.
Staff Problems.
Solution of problems affecting production.
(vi) Local claims (after appointment) for seniority and for relief purposes including supervisory posts up to grade of foreman.
(vii) Matters relating to redundancy.
(viii) Local application of agreements relating to standard salaries, wages, hours of duty and other standard conditions of service.
(ix) Questions relating to operating and kindred subjects and welfare arrangements, making for the smoother working of the Authority.

ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF TRANSPORT AUTHORITY SHOPMEN'S COUNCIL

Establishment and Constitution of Shopmen's Council.

11. There shall be established a Shopmen's Council consisting of not more than twelve representatives of the Trade Unions mentioned in these regulations and not more than twelve representatives of the Authority.

Functions of shopmen's Council.

12. The functions and duty of the Shopmen's Council shall be to consider and if possible determine, in respect of the workpeople to whom this Machinery of Negotiation is applicable, all the following matters that is to say —

(i) Questions referred by Shop or Works Committees.
(ii) General principles governing recruitment and tenure of service.
(iii) Major claims affecting wages and conditions of service, except that
(*a*) Arrangements shall not be introduced by the management as a result of any agreement which would be in contravention of any Agreements, reached at a higher stage of the Machinery, and
(*b*) Individual cases not involving principle shall not be pursued beyond this stage.

Questions under paragraph 12.

13. Any questions falling within the scope of the preceding paragraph which have been dealt with by the Shopmen's Council, may, failing Agreement be referred to the Headquarters of the Trade Union or Unions concerned who may raise the matter with the Headquarters of the Authority. Such questions failing Agreement may then be referred to the Tribunal.

REGULATIONS,* DATED 24TH OCTOBER, 1951, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 40 OF THE TRANSPORT ACT (NORTHERN IRELAND), 1948, (a).

1951. No. 219

WHEREAS the Ministry of Commerce may make regulations providing for the establishment and maintenance of machinery for the following purposes :—

(a) 12 Geo. 6 ch. 16 (N.I.).

* These Regulations were approved in draft in accordance with sub-section (3) of section 71 of the Transport Act (N.I.), 1948, by the Senate on the 13th December, 1951, and by the House of Commons on the 12th December, 1951.