



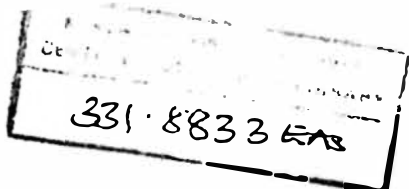
EAST AFRICAN RAILWAYS AND HARBOURS

Sessional Paper No. 6 of 1961

**PROPOSALS FOR THE IMPLEMENTATION OF
THE RECOMMENDATIONS OF THE REPORT ON
THE STATE OF INDUSTRIAL RELATIONS IN THE
EAST AFRICAN RAILWAYS AND HARBOURS
ADMINISTRATION**

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PROPOSALS FOR THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE REPORT ON THE STATE OF INDUSTRIAL RELATIONS IN THE EAST AFRICAN RAILWAYS AND HARBOURS ADMINISTRATION

One of the terms of the settlement ending the strike of railway African employees in Tanganyika on 30th April, 1960, and ending the trade disputes which existed at the same time with the Uganda and Kenya Railway African Unions on 5th May and 17th June, 1960, respectively, was—

“Both parties (i.e. the Management of the E.A.R. & H. and the respective Railway African Unions) agree to an independent enquiry into the state of industrial relations in the East African Railways and Harbours Administration, with particular reference to the nature and suitability of the machinery needed for sound industrial relations. The enquiry will be carried out by a commissioner, appointed by the Secretary of State. The commissioner will submit his report and recommendations within six months of the return to work.”

2. In accordance with this requirement the Secretary of State appointed Mr. H. A. Whitson, O.B.E., in August, 1960, as Commissioner and the following notice appeared in the Kenya Official Gazette dated 16th August, 1960, Government Notice No. 3726; the Uganda Official Gazette dated 18th August, 1960, Government Notice 1179; the Tanganyika Official Gazette dated 19th August, 1960, Government Notice 2219; and the Official Gazette of the East Africa High Commission dated 31st August, 1960, Government Notice 94:

“IT IS HEREBY notified for general information that pursuant to clause 2 of the terms of an agreement dated 30th April, 1960, between the East African Railways and Harbours Administration and the Tanganyika Railway African Union, providing for the resumption of work after the strike of certain African employees of the East African Railways and Harbours Administration, the Secretary of State for the Colonies has appointed

H. A. Whitson, O.B.E.

to be Commissioner for the purpose of carrying out an enquiry into the state of industrial relations in the East African Railways and Harbours Administration, with particular reference to the nature and suitability of the machinery needed for sound industrial relations, and has instructed that the Report of the Commissioner shall be made to the Chairman of the High Commission by 30th October, 1960.”

3. Mr. Whitson arrived in East Africa on 20th August, 1960, and duly made a Report to His Excellency, the Governor of Kenya, as Chairman of the High Commission on 31st October, 1960. This Report was made available to the Ag. Commissioner for Transport who in turn circulated it to the members of Transport Advisory Council, to the General Manager of the East African Railways and Harbours Administration and to the Staff Associations and Trade Unions concerned.

4. The Report was discussed at a meeting of Transport Advisory Council on 1st and 2nd February, 1961. Thereafter the Management of the E.A.R. & H. Administration discussed the Report with the Staff Associations/Unions on

28th February and 3rd March, 1961. The draft of this Sessional Paper was then prepared and discussed by Management with representatives of the Staff Associations/Unions at further meetings. It should be understood, however, that the Railway African Union (Kenya) was not represented at any of the meetings between Management and the Staff Associations/Unions as throughout this period it was not constituted as a working unit. With this exception the Sessional Paper as now laid has had close regard to the views expressed on the Report by the Staff Associations/Unions and also to the views of Transport Advisory Council.

5. The Report as submitted by Mr. Whitson was divided into two parts: Part I dealing with "The State of Industrial Relations"; and Part II dealing with "The Machinery Suitable for the Conduct of Industrial Relations." Mr. Whitson, however, did not summarize his recommendations and in order to deal with the Report it was necessary that this should be done. The E.A.R. & H. Administration accordingly produced a summary, amounting to 44 recommendations (24 in Part I and 20 in Part II) and this was accepted by Transport Advisory Council and by the Staff Associations/Unions as a fair summary suitable for working purposes. On the basis of this summary, and making reference to paragraph numbers in the Report itself, the E.A.R. & H. Administration now proposes the following action on the recommendations contained in the Report.

PART I: THE STATE OF INDUSTRIAL RELATIONS

- (1) The Unions/Staff Associations should endeavour to change their present racial organization. (7-8: also 138)**

The need for such a re-organization is accepted both by the Administration and by the Unions/Staff Associations, it being agreed however that the initiative in this matter should be left to the Unions/Staff Associations. The Administration will encourage and give active help as and when need be.

- (2) The Management, having recognized the trade unions, should accept the full implications of this recognition in the establishment and operation of consulting and negotiating machinery. (11-13: also 241-242)**

It will be the Administration's endeavour to ensure that the revised consulting and negotiating machinery is at all times fully and properly used.

- (3) The Unions should endeavour to present their cases to Management in a more objective and responsible way. (14-15: also 244)**

The Unions accept this recommendation and the Administration will try to help to secure this desirable end.

- (4) Having regard to the precarious financial position of all the Unions and the desirability of producing "responsible trade unionism" the Management should—**

- (i) subject to the Unions giving certain important assurances, examine the possibility of introducing the system of voluntary "check-off" (18-28): and**
- (ii) continue for the time being to bear all the costs, including Union expenses, of consultation and negotiation. (29-32)**

(i) The Administration having obtained the advice of Transport Advisory Council and having consulted the Unions/Staff Associations, has come to the conclusion that the voluntary "check-off" system should not be introduced at this time but that the matter should be kept under review. It is appreciated that the voluntary "check-off" system would improve the financial position of the Unions and that responsible trade unionism might be considered to stem in part from the stability which should come with secure finances. Against this it

is the Administration's view, supported by a majority opinion of Transport Advisory Council, that, if negotiating is to be fair, each side should be able to pursue its own interests relatively free of pressure or domination and there are certain aspects of the "check-off" system which seem inimical to such freedom of association. First, there is the fact that the "check-off" system, no matter what safeguards are introduced, does tend to the creation of the "closed shop" and with it the coercion of staff to become Union members. Equally repugnant is the possibility of the "check-off" being used to enforce collective agreements (by threatening the withdrawal of its operation and so cutting off a Union from its source of funds).

In all the circumstances the Administration does not consider the time has yet come to introduce the voluntary "check-off" system but has reviewed arrangements to allow the Unions all reasonable measures of assistance, short of the "check-off", to collect subscriptions.

It should be stated that the Unions/Staff Associations are opposed to the Administration's conclusion not to apply the "check-off" system for the time being and the African Unions in particular would like to see the immediate introduction of this system.

(ii) Having regard to the conclusion reached on Recommendation (4) (i) the Administration proposes to continue to bear all costs involved in formal consultation and negotiation, subject to giving the Unions/Staff Associations suitable notice of the withdrawal of concessions as may seem appropriate.

(5) As soon as possible the Unions/Staff Associations should begin to pay at least their own expenses and, later their share of the expenses of consultation and negotiation. (33)

This is accepted on both sides and will be introduced when practical.

(6) The Management should recognize regional and district Union secretaries in Tanganyika. (34)

Following Management/Union consultation this recognition has now been accorded, the Union having agreed to amend its constitution in certain respects.

(7) Employees in various workshops, etc. should have the right to elect spokesmen (preferably elected representatives on local staff committees). (35)

This recommendation is in line with the Administration's accepted policy.

(8) Management should not place undue restriction on any members of the staff from taking office within the Unions/Associations. (36-40)

The Administration does not accept the imputation that undue restriction is placed on any members of the staff from taking office within the Unions/Staff Associations. The Administration leaves the decision entirely to individuals.

(9) Management should examine the possibility of a greater degree of devolution of authority in staff matters and ensure that the best type of men deal with staff work. (41-46: also 117-118)

In dealing with staff matters the Administration has clearly defined layers of responsibility from the Commissioner for Transport down through the General Manager to Heads of Departments, District Officers and junior supervisory staff. The powers at each level are carefully designed to safeguard the rights and privileges of the staff in all important matters ranging from appointment to retirement, pension rights, disciplinary procedure and so on. The governing regulations and the powers delegated are considered essential for the control of a public service such as the E.A.R. & H., and any greater delegation of powers

might well react, in some ways, to the detriment of the staff rather than the reverse. Most of the purely personnel matters connected with allowances and leave, etc., affecting every day working, are delegated to district officers. With the need to have responsible control, both administrative and financial, it is difficult to go lower.

It is recognized, however, that in so far as there may be cause for complaint it may lie not against the degree of authority delegated but against the exercise of discretion in using that authority. As in any large organization there are unfortunate disparities in the capacities of officers, some of whom are good at dealing with staff matters and others only indifferent. This leads to the second part of the recommendation which suggests that staff posts should be given sufficiently high a grading to attract the best type of men. The Administration does not have access to an unlimited number of good quality staff: the field, in fact, is unfortunately circumscribed and to put the best type of men on staff work might well mean withdrawing them from some other even more essential branch of service. It is the Administration's general view that present gradings are comparatively adequate given individuals of reasonable competence within their grade. but in view of the increasing complexity of staff work it may be some modifications should be carried out, and some form of special training given, and the recommendation is noted as one which should receive current attention in some of its various aspects.

(10) The Industrial Relations/Welfare organization, having a dual responsibility to Management and to the Unions, should be given more status and consulted over a wider field. (47-51)

As the E.A.R. & H. Administration is a large, commercial undertaking everyone on the Management side from the General Manager down is or should be concerned to maintain good industrial relations. In short, industrial relations in the E.A.R. & H. is not something to be hived off as an esoteric science to be dealt with by a separate organization "advisory to the Management and the Unions". Industrial relations is a factor in everyday operation in which the big decisions must be taken by top management itself. The present organization is that the General Manager has a Chief Establishment Officer who advises him on all staff matters and under the Chief Establishment Officer are the specialist industrial relations and welfare sections. The suggestion that industrial relations should be separated from staff work as a whole and set up as something apart is not one which commends itself to the Administration. Industrial relations is but one aspect of staff work, no more and no less. The Administration has been conscious for some time, however, that the present organization (in force since 1954) is becoming outmoded in some respects and it is proposed to revise it.

(11) Management should continue its efforts to disseminate information and explain policies to all levels of staff and in particular should produce abridged conditions of employment and principal regulations. (52-55)

Abridged conditions of service etc., for Group "C" staff are already available but the Administration would accept that there is room to disseminate further information to all groups of staff along the lines recommended and every effort will be made to do so as soon as possible.

(12) Management should continue its policy of giving special training to supervisors. (56-57)

The Administration will continue and possibly intensify its efforts in this direction.

(13) Efforts to attain the full implementation of negotiating machinery should be intensified. (66-67)

This recommendation is accepted by the Administration. It should perhaps be added that the efforts made by the Administration to introduce such machinery have been considerable and the machinery now in use has produced many worthwhile results.

(14) Whilst agreeing it is a function of Management to maintain a constant review of the grading of posts (up and down) it is suggested that the Unions should be consulted in this matter. (68-71)

Job evaluation is far from an easy task, particularly in a large organization such as the E.A.R. & H. Administration which has so many diversified functions. Also, as Mr. Whitson has pointed out in his Report, job evaluation is a proper and continuing activity of Management. There is nothing at present to prevent the Unions/Associations representing to Management a case for the regrading of any post or group of posts and such cases can continue to be considered within the ambit of the proposed revised machinery. The Administration would not propose, however, to go further at this stage. It was Transport Advisory Council's advice that the basic structure of wages and salaries must be Management's ultimate responsibility and this is accepted.

The Unions/Staff Associations have, however, raised the question of the possibility of a complete review of gradings and have been advised that while the Administration does not agree to an overall review of gradings at this stage it proposes within the next few months to work on the problem with a view to preparing a new structure devised to eliminate any elements of racial discrimination which may still exist and related more strictly to an East African economy.

(15) The Management should review its existing promotion procedure to ensure, as far as possible, that it operates fairly and effectively. (72-77)

The promotion procedure applying throughout the E.A.R. & H. Administration is comprehensive and operates on the whole fairly and effectively. At the same time the Administration recognizes that in a large organization such as the E.A.R. & H. operating in territories which are moving towards independence, it may be that some form of machinery corresponding to a Public Service Commission might be set up to advise Management on selection and/or promotion of staff, if not to cover staff appeals and disciplinary cases. The matter will be considered further in conjunction with Transport Advisory Council and with Unions/Staff Associations.

(16) There should be urgent consultation with the Unions on the subject of Africanization and, if necessary, some reduction in standards for non-technical posts. (78-85)

The Administration has no directive to "Africanize" its services. The E.A.R. & H. policy as enunciated by Lidbury and as endorsed in White Paper No. 1, 1954, which was approved by Central Legislative Assembly, requires the provision of "services ultimately to be recruited wholly within East Africa". This is localization, not Africanization. It is recognized, of course, that in practice localization must mean a substantial measure of Africanization. The Administration's plans for localization have been advised to Transport Advisory Council and endorsed by that body and have since been advised also to the Unions/Staff Associations.

- (17) There should be a detailed inquiry, with an independent chairman, into "specific complaints" (as opposed to "general allegations") of racial discrimination in gradings, postings and promotions. (86: also 238)**

The Administration and the Unions do not see eye to eye on this matter. The Administration is not aware of any specific complaints which have been put forward and not been adequately answered. The Unions on the other hand more or less take the view that any answers given which have not met their requirements have not been adequate. This is deadlock, but the Administration has now advised the Unions that if such cases as they care to specify further cannot be disposed of finally between Management and the Unions, then the Administration will be prepared to consider the possibility of an enquiry as recommended with an independent chairman as a one time exercise not to be regarded as creating a precedent.

- (18) "Charge Sheets" should not be issued to obtain initial explanations of "offences": at this stage there is no more than a request for an explanation. The use of the title "Charge Sheet" should be abandoned and forms calling for explanations might be of two kinds, one for allegedly major and the other for apparently minor offences. Any person making a charge should not also make a recommendation as to the action to be taken. (87-96)**

The Administration feels there is value in this Recommendation and proposes that in the case of minor offences the charge sheet should be abandoned and the whole disciplinary procedure revised with this in view. It also accepts the second part of the recommendation.

- (19) In the case of major offences—and also individual grievances—employees should have the right of interview accompanied by a fellow employee or union official. (97-103: also 221-231)**

The Administration proposes that the whole disciplinary code defining minor and major offences and covering charging, interviews, appeals, etc. should be reviewed and made the subject of a comprehensive note to be included as an Annexure to any Memorandum of Agreement to be concluded with the Unions/ Staff Associations.

- (20) Normal working hours and overtime conditions should be the subject of an agreed document between the Unions and Management. (104: also 155)**

This matter is properly dealt with under Recommendation (30).

- (21) Housing Committee representatives should be elected by grades (instead of nominated as at present) and Unions/Staff Associations should be consulted with regard to changes in standards of housing and advised of priorities in provisions. (105-110)**

The Administration agrees in general to the constitution of Housing Committees on a grade rather than a racial basis and is already working towards this end. It is also prepared to give a trial to the election of representatives on one or two committees (the present practice being to allow the Unions/Staff Associations to elect representatives to all Housing Committees as observers).

The second part of the Recommendation is accepted in principle and conforms largely to existing practice.

- (22) Management should review the problem of wages staff with service over a number of years with a view to their being absorbed in the permanent establishment. (111-115)

This is a matter which is kept under constant surveillance and, excluding staff required for capital and other short-term work, the numbers involved are relatively small (less than 0.5 per cent of the total staff).

- (23) Surprise is expressed at employees, particularly those in the lower grades, being prohibited from being members of political organizations. (116)

This a matter which is reviewed from time to time with Transport Advisory Council. Up till now the view has been that E.A.R. & H. Administration employees must accept the same political restrictions as Government employees.

- (24) Informal talks between Management at all levels and Union/Association representatives are to be encouraged. (128)

The Administration agrees generally that at all *appropriate* levels informal talks between Management and Union/Staff Association representatives are to be encouraged.

PART II: THE MACHINERY SUITABLE FOR THE CONDUCT OF INDUSTRIAL RELATIONS

- (25) It is recommended that the machinery for consultation and settlement of disputes should be—

- (i) A Central Joint Council (in place of the present Joint Staff Advisory Council);
- (ii) Territorial Councils (New: proposals were suspended pending the Whitson Commission Report): and
- (iii) Local Staff Committees (in place of the present Local Departmental Committees).
(130-133)

(Note.—The functions and composition of these various Councils/Committees are given in the following paragraphs:—

Central Joint Council	..	134/135 and 143/146
Territorial Councils	..	159/173
Local Staff Committees	..	174/188

and the recommendations given therein cannot usefully be summarized.

The suggested voting procedure for the Central Joint Council is given in paragraph 157.)

This recommendation, and the later recommendations in the Report (excluding recommendations (42) to (44)), all deal with the proposed revised industrial relations machinery from the setting up of Councils/Committees to the final determination of disputes.

The proposed Councils and Committees in effect replace existing machinery except that (as indicated in parenthesis in the recommendation) the Territorial Councils will be new. The Administration had in mind the introduction of Territorial Councils although not quite on the lines proposed by Mr. Whitson and to some extent these Councils as now proposed will cut across the present organization of the Administration to the extent that it is constituted departmentally rather than territorially. Nonetheless, the Administration accepts the

setting up of the proposed revised machinery in all its parts and will, in conjunction with the Unions/Associations prepare and agree—

- (i) a constitution for the proposed Central Joint Council;
- (ii) a constitution for the proposed Territorial Councils;
- (iii) a constitution for the proposed local Staff Committees.
- (iv) A Memorandum of Agreement between the Commissioner for Transport and the Unions/Staff Associations which will, *inter alia*, recognize and regulate the machinery proposed under (i), (ii) and (iii) and will have as Annexures—
 - (a) a Note on Disciplinary Procedure;
 - (b) a Note on the Disputes Procedure to be adopted for the settlement of disputes; and, possibly (Recommendation No. 39)
 - (c) a Note on the composition and functions, etc., of an E.A.R. & H. Staff Tribunal.

It will be the first task of any new Central Joint Council to consider and formally agree these documents.

(26) In regard to the composition and functioning of these Councils/Committees, it is proposed that they should all be multi-racial and that the African Unions should change their present attitude and participate with the Asian/European Unions/Associations rather than seek to have separate machinery. (137-142)
This is agreed on both sides.

(27) For at least the first few years the Central Joint Council should have an independent Chairman who might be nominated by the High Commission. (147-149)

and

(43) If there is agreement that there should be an independent chairman of the Central Joint Council this person should be appointed as a first step towards examination and implementation of the various recommendations made in the Report. (237-240)

These are recommendations which have received much consideration. Excepting the sisal industry in Tanganyika no case is known of an independent chairman of a negotiating body such as would be the Central Joint Council. The machinery of negotiation of the British Transport Commission, for example, does not provide for such a Chairman in its Railway Staff National Council. Negotiation in this body is direct between the two sides and, indeed, this is the usual practice in such Councils unless a Chairman is appointed from among the representatives. The Administration is against the anonymous determination of E.A.R. & H. problems and there would be an inclination to this with an independent Chairman with no direct responsibilities.

As against this the Administration recognizes that there is an element of distrust of Management by the African Unions who are always seeking to bring in an independent or outside authority to advise or adjudicate and while it will be necessary sooner or later for the African Unions to learn to stand on their own feet and consult and negotiate with Management direct, the Administration, having taken the advice of Transport Advisory Council and having consulted with the Unions/Staff Associations, is prepared at this stage to accept a compromise solution—viz: to allow the appointment of an independent person by the High Commission for the purpose and for such a period as may be necessary to introduce the proposed revised machinery. This is really acceptance of Recommendation

No. 43. Thereafter the question of whether the appointment of the person nominated should or should not be extended would be considered further in conjunction with Transport Advisory Council and with the Unions/Staff Associations. This is really to defer decision on Recommendation No. 27. The High Commission has accordingly already been approached on these lines.

(28) The Secretary of the Central Joint Council should be provided by the Management. (150)

This Recommendation is acceptable to both sides.

(29) The Central Joint Council should have the power to make decisions effective and such decisions should issue as from Council indicating equal responsibility by Management and the Unions/Associations. (151-154)

and

(30) As soon as possible decisions reached in regard to basic conditions of service (salaries, hours, overtime, leave, etc.) should be incorporated in a signed agreement and made available to all members of the staff. (155)

It is convenient to consider these two recommendations together and the first point to note is that they run counter to the E.A.R. & H. Act which places the ultimate responsibility for the higher control and executive management of the Administration squarely on the shoulders of the Commissioner for Transport and the General Manager—Sections 3 (3) and 3 (4) of the Act refer. In addition Section 7 (1) (e) of the Act requires that the Commissioner for Transport should consult Transport Advisory Council on “any major alteration in the scales of salaries, wages, hours of employment or other important conditions of employment”: these are just the kind of matters which it is now envisaged should be considered also by the Central Joint Council and be the subject of joint “decisions”.

It would seem, however, that a compromise solution is possible. In the first place responsible negotiation by Management in Central Joint Council should be able to ensure that any “decisions” reached are sensible and largely acceptable. Secondly, while Management could not arrogate to itself in negotiation and decision the powers and responsibilities of the Commissioner for Transport, including consultation as necessary with Transport Advisory Council, certain matters to be dealt with by Central Joint Council would be within the Management's powers. Thirdly, the Central Joint Council could be recognized as having the power to reach *agreements*: such *agreements* would then be issued as from Central Joint Council, but they would be ratified if need be by the Commissioner for Transport who would consult Transport Advisory Council as might be necessary. In this way the Administration would be going as far as it could to meet the recommendation that Central Joint Council should have effective powers, while at the same time ensuring that the Commissioner and Management retained sufficient authority to discharge their responsibilities in accordance with the essential and proper requirements of the E.A.R. & H. Act; and it is so proposed to proceed.

(31) Meetings of the Central Joint Council should be not less than once every six months, with special meetings as required. (156)

This is accepted.

(32) Local Staff Committees should not be restricted on the staff side in their composition to Union nominees as suggested by the African Trade Unions. (179-185)

This is accepted.

- (33) The setting up of District Staff Committees is not recommended but ad hoc arrangements should be made, when necessary, to call together representatives of the various local staff committees. (189)**

This is accepted.

- (34) In the case of a "local" dispute full use should be made, first, of the appropriate local staff committee and then of the Territorial Council (which should appoint a Disputes Committee) but on failure to agree further action should be in accordance with the provision of the relevant legislation of the territory concerned. (194-197)**

This is accepted.

- (35) In the case of a "territorial" dispute the matter should be referred either to the Central Joint Council or to the Labour Department of the territory concerned. (198-200)**

The Administration would expect to use its own disputes machinery to the fullest extent before there was any reference to Labour Departments and is sure that Governments would prefer such a course of action.

- (36) In the case of an "inter-territorial" dispute the matter should be referred to an inter-territorial labour department of the High Commission which might be set up specially to deal with these and other common services for which the High Commission is responsible. (201-203)**

The Administration does not think the setting up of such an inter-territorial labour department of the High Commission can be envisaged as practical politics, at least at this stage.

- (37) With or without a Labour Department of the High Commission any failure to agree in the Central Joint Council should be referred to a conciliator appointed by the High Commission. (204-205)**

The High Commission would obviously be in some difficulty in making a suitable appointment. They would possibly have to call on the territorial Governments to provide an officer. The services of the officer would presumably have to be at the expense of the High Commission which would require budgetary provision to cover this contingency. The suggestion has attraction but also practical difficulties.

- (38) In the event of arbitration being required on an inter-territorial dispute it would be best if an Industrial Court for the three East African territories, including the High Commission Services, could be established. (208)**

Decision on this recommendation must obviously rest with the Governments, although it would be hoped that before any action was taken there would be consultation with the E.A.R. & H. and other employers, and also with the Unions/ Staff Associations, to allow of consideration of the powers and duties of such a Court.

- (39) Failing an Industrial Court for East Africa there should be a standing Railway Staff Tribunal of three members of whom the Chairman should be independent. The Chairman should have powers of decision if the Tribunal is unable to agree to an award. (209-211)**

This is accepted.

- (40) Reference to arbitration should only be if both sides agree, such agreement not to be unreasonably withheld on either side. (212-219)**

This is accepted.

(41) In the event of one or both of the parties refusing to go to arbitration on an inter-territorial dispute the three Governments should act jointly in determining what should be done rather than leave it, as required at present, to separate Government action. (220)

It is accepted that, within the ambit of what is legally possible, joint Government procedure would be preferable to separate Government procedure in such cases.

(42) It might be desirable at some future date to review the present salary structure to differentiate more simply between "manual" and "mental" workers. (232-236)

It is accepted that eventually some such regrouping of employees may develop.

(43) See Recommendation (27).

(44) In the ultimate "sound industrial relations" will depend not only on the machinery set up but on the persons directly involved on both the Management and the Unions/Associations sides. (246)

This is acknowledged and accepted.

6. Summing up, it will be seen that the recommendations made in Part II of the Report, dealing with the machinery suitable for the conduct of industrial relations, are accepted almost in their entirety with but one or two amendments. The recommendations in Part I, dealing with the state of industrial relations, are also largely accepted but as they deal with a continuing state of affairs most of them are not capable of resolution on a once and for all basis. The recommendations in Part I, indeed, are all about matters which can be dealt with and kept under review through the medium of the revised industrial relations machinery to be set up under Part II and it is to be hoped that the setting up of this revised machinery will allow of the successful and continuing review of such matters. In the meantime the present machinery for consultation and negotiation and the present Memorandum of Agreement governing that machinery which is binding between the Commissioner for Transport and the Union/Staff Associations must remain in force until the revised machinery has reached the stage of near acceptance. The existing Memorandum of Agreement is only terminable at three months notice in writing and it is proposed to give notice of such termination at the earliest practical date.

March, 1961.