

CHAPTER 10

ARBITRATION

THE Civil Service Arbitration Court was set up in 1925, not without considerable opposition from the government which tried to argue that the Whitley system provided all that was necessary in the way of machinery on wage claims. It took a lot of energy and a parliamentary campaign to persuade them otherwise. The Arbitration Court provides a Court of Appeal to which both official and staff sides can have recourse in the event of the normal machinery of negotiation breaking down. Disputes taken to it must relate either to emoluments, hours of work, or leave.

Questions affecting the structure of a department, promotions, complements, gradings, etc., do not fall therefore within its jurisdiction unless the remuneration factor can be imported into them. The court has a permanent chairman and he is assisted by two assessors, one from a panel nominated by the official side and the other a staff-side nominee. The proceedings follow the customary form. The case for and against is stated. Arguments and evidence are heard and witnesses can be put in. If the case is one which affects a number of classes or the Service as a whole the line up will normally be the national staff side *v.* the Treasury. In other cases, the appropriate Service union will confront the official side of the department concerned, in which case it is usual for a Treasury representative also to be present.

Before the hearing an attempt is made to obtain agreement to terms of remit which then go to the Ministry of Labour. If no agreement between the chairman and his co-assessors is forthcoming an umpire's award can be given and this is equally binding. Probably the most important case taken to the Arbitration Court in recent years was the initial claim for payment of war bonus and a subsequent claim for an upward revision of the bonus terms. These claims rested not only on a

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basis of actual fact in relation to the rising cost of living, but of comparison with bonus payments in other spheres of employment outside the Civil Service. It was necessary, therefore, to amass a wealth of data in order to present a fully documented case to the Arbitration Court. This factor of comparison is never far away during the hearing of Service cases. Either the comparison is between Service scales of remuneration and "the long-term trends in outside industry" of which we have already heard so much, or between the work and remuneration of one grade or class in the Service and another. At one time, for instance, the departmental classes, to which reference has earlier been made, lagged behind the general Treasury classes. Then, as a result of a succession of arbitration cases, some of them caught up and one at least passed them.

These comparisons paid very little heed to the relative social value of the duties performed. They were concerned only with the degrees of complexity involved in the operations and quite naturally in presenting a case to the court there was every tendency towards a competitive boosting of the grades and classes whose wage claims were under consideration. That is the sort of thing which inevitably arises from the sometimes unhealthy preoccupation with status which we have had previous occasion to remark and when, too, status is inseparable from the cash that goes therewith.

The Arbitration Court is supposed, of course, to be a completely independent tribunal uninfluenced in its decisions by the policy of the government or the Treasury.

This tradition was in fact fairly well maintained up to the beginning of the war. The present writer has himself been a witness in one arbitration case and can testify to the impartiality which then existed. It is not so certain, however, that this is still the case. A long record of decisions adverse to the staff has been registered during the last year or two and the opinion is gaining ground that the court is becoming more and more susceptible to indirect influence.

The government has, as we know, given a lead to all employers by the publication of a White Paper on wages, intended to discourage and combat inflationary tendencies.

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Employers everywhere have not been slow, for their own reasons, to follow that lead, and the Industrial Tribunal has, in a number of notable instances, failed to exert a corrective influence. It is difficult, therefore, to feel assured that the Civil Service Arbitration Court is as impartial and objective in its judgments as it used to be. That, at any rate, is how most of the Service unions feel about it and there is an extreme reluctance on their part to use machinery which may make the redress of legitimate grievances still more difficult.

Here is probably another example of circumstances altering cases and of the sensitive reactions of the state in its employing capacity to external influences.

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THE SERVICE PRESS

THE Civil Service press is a by no means insignificant factor in the process of enlightenment which is beginning to provide civil servants with new objectives and a new outlook.

A monthly journal with a guaranteed circulation of over 30,000 is a valuable publicity medium even when that circulation is confined to Service circles. That is the position of *Red Tape*, the organ of the C.S.C.A.

A journal like the *Post*, for which the U.P.W. is responsible, circulating at even more frequent intervals and normally on a regular weekly basis, can and does exert considerable influence over its members.

Taxes, which speaks for the Inland Revenue workers, has an established reputation which many an outside journal would envy. The Ministry of Labour staff run the *Argus*, the Society of Civil Servants, which organizes the executive class, controls *Civil Service Opinion* and the professional and technical workers have a growing circulation for *State Service*. Most of the other big unions have their own monthly journals, and there are in addition a number of branch organs and bulletins. The national staff side publishes its own record of the more important events affecting the Service as a whole. At one time this was a rather dry-as-dust affair, but recently it has become greatly improved and can be read and studied with profit. Many of the Service editors are men of progressive ideas who provide an open forum for the expression of every political point of view of an anti-fascist character. The standard of Service journalism is high and it goes on improving. Unfortunately there is no national Civil Service organ (apart from the *Whitley Bulletin*) which can speak for the Service as a whole. Almost forty years ago the *Civilian* appeared for a while but it contained little more than advertisements and a record of appointments, transfers and promotions, and read more

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like a court circular than anything else. Another attempt to launch an all-service journal was made in 1928, when the *New Civilian* was launched under the able editorship of A. J. Brown, who for many years has been in charge of *Taxes*. This started with a flourish but subsequently languished and finally collapsed for lack of support from the unions after a year or two of precarious existence. There can be no doubt that when the war is over the Civil Service will consider again the possibility and desirability of running its own paper, not as the expression of vested interests, but rather to strengthen the at present all too weak progressive and working-class press. Meanwhile the already existing high standard of production and contribution offers an assurance that such an organ would exert a powerful influence for good. It would act too as a deterrent against attempts now being made to use the Civil Service as a scapegoat for sins, the responsibility for which lies elsewhere.