

E.R. DRAKE, ESQ., STAFF OFFICER, 55, BROADWAY.

FROM: OFFICE OF THE
SUPERINTENDENT OF
RECRUITMENT & TRAINING,
CHISWICK.

MTD

TO: H.T. HUTCHINGS, ESQ.,
SUPERINTENDENT (INDOOR)
RAILWAYS, 55, BROADWAY.

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P.S.P.

Reft. D53/V.

23rd January, 1947.

DISABLED PERSONS (EMPLOYMENT) ACT, 1944.
DESIGNATED GRADES.

You will remember that under Statutory Rules and Orders 1946, No. 1257, dated 25th July last the Ministry of Labour and National Service decided that as from the 1st September last the occupation of Passenger Electric Lift Attendant should be regarded as a designated employment to which Section 12 of the Act should apply, and that in Statutory Rule and Order 1946, No. 1256 also dated 25th July, the Ministry decided that a person employed by the same employer partly in a designated employment and partly in some other employment should not be regarded as being employed by that employer in a designated employment if he is ordinarily employed in the designated employment for less than one half of his total weekly hours of employment by that employer.

Representations were made by me to the Minister of Labour and National Service to the effect that the Board's railway servants who collect and examine tickets and at the same time operate passenger lifts should not be regarded as Passenger Electric Lift Attendants within the meaning of the above Orders, and for your information I have been advised by the Ministry under date 20th instant that whilst an authoritative decision on such a point can be given only by the Courts the Minister is advised that on the information given by me to the Ministry of Labour employees engaged in such duties should not be regarded as employed in designated employment.

JA.

CHIEF STAFF AND WELFARE OFFICER.	
24 JAN 1947	
SERIAL NO.	FILE NO.

OFFICE OF THE
OPERATING MANAGER (RLYS.)

Ref. DLO/HYH/SE/3852.
Your Ref. F.12.

CHIEF STAFF AND WELFARE OFFICER	
- 5 OCT 1946	
SERIAL No.	FILE

R. R. DRAKE, ESQ.,
ASSISTANT STAFF OFFICER.

1st October, 1946.

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DISABLED PERSONS (EMPLOYMENT) ACT 1944 -
DESIGNATED EMPLOYMENT SCHEME.

With reference to your memorandum of 24th September, all Liftmen in the Operating Department undertake the collection of tickets in addition to operating the lifts, and have to deal with and control large numbers of passengers during the busy traffic periods of the day. This is, therefore, a parallel case to that upon which the Mersey Railway obtained a favourable decision.

In addition, our Liftmen are required to assist in the case of a lift failure and this may entail their going to the lift machinery room in order to hand-operate certain switches and lift gear. The switch gear concerned is not easily accessible and this would present difficulties to a man who was disabled. They are also required to assist in hand-winding a passenger loaded lift to a landing, in the event of a lift failing in the shaft, and this also may be beyond the capabilities of an unfit man.

It is considered that these conditions constitute further reasons against disabled persons being employed in this grade.

A. J. Matthews

OFFICE OF THE ASSISTANT
STAFF OFFICER

TO:
13th August, 1946

Ref. F12.

DISABLED PERSONS (EMPLOYMENT) ACT 1944

INCREASED QUOTA - From 2% to 3%

The Minister of Labour and National Service has given notice that the standard percentage of disabled persons to be employed in industry generally (including the Board) will be increased from 2% to 3% on and from the 1st September, 1946.

If, therefore, the Board's quota on that date is below 3% it will be necessary for you to follow the procedure already indicated as to the steps to be taken to obtain additional labour.

Also it will not be competent for a registered disabled person to be discharged from the service without reasonable cause and in order, therefore, to secure that all such cases are dealt with on a common basis they should be referred to me for consideration by the Disabled Persons Alternative Employment Committee.

General Notice No. 98 dealt with the desirability of registration of all disabled persons qualified to register and in view of the increased quota and the fact that the number of registered disabled persons now recorded as in the employ of the Board is below that quota, it is desired that all departments should take steps to review the position so far as concerns their staff who may appear likely to qualify, and who have not indicated that they have registered, with a view to persuading such staff of the desirability of obtaining registration.

I would draw your special attention to the position of staff who served in the 1914/1918 War and who are now receiving pensions as a result of such service, and in respect of whom the Act provides as follows :-

"A 1914/1918 disablement pensioner shall be treated for the purposes of this subsection as a disabled person and as one whose disablement is likely to continue for six months or more from the time of entry of his name in the register and the name of such a person may be entered in the register without his making any application on that behalf".

DESIGNATED EMPLOYMENT

On and from 1st September 1946, the undermentioned classes of employment are designated as reserved for registered disabled persons -

- (1) Employment as a passenger electric lift attendant, that is to say, employment in operating and controlling an electrically driven passenger lift other than a lift installed in a ship.
- (2) Employment as a car park attendant, that is to say, employment in all or any of the following duties, namely -
 - (i) taking care of motor vehicles in a car park;
 - (ii) taking care of the contents of any such vehicles;
 - (iii) issuing tickets to persons using the car park;
 - (iv) collecting fees from persons using the car park.

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The effect of the above is to prohibit the engagement for a designated employment of any person who is not registered as disabled except under permit from the Ministry of Labour.

A permit is not required for the engagement of a non-registered person entitled to re-instatement.

A person shall not be regarded as in designated employment if he spends less than half of his total weekly hours in that occupation.

The above decision applies only to engagements on and after 1st September 1946. It is additional to the requirements under the Quota Scheme but does not affect the continuance in such employment of non-disabled persons who were so employed prior to 1st September 1946.

RECORD CARDS

In connection with the keeping of records of disabled persons a form has been registered, No. X/603/64 entitled "Registered Disabled Persons Record Card" and is now in stock with the Stores Superintendent and supplies should now be requisitioned and brought into use.

It is intended that these cards shall be kept departmentally, but in the event of a registered disabled person being transferred to another department, his original record card should be duplicated the Staff Record, the transferring department making out a duplicate for retention to satisfy any check that may be made by an Inspector of the Ministry of Labour and National Service.

In addition to the Registered Disabled Persons Record Card, the fact of registration should also be entered on the General Information Sheet of the employee's Staff Record.

Will you also please note for information that once a person is registered as a disabled person (provided he remains in the same employment) he remains so, even though at a later date his Certificate of Registration may not be renewed.