

Appendix. Dispute with the Plumbers

Demarcation disputes may be thought by some to be a feature of industrial life peculiar to a more recent age when rivalries between big national unions have been often in the news. It is true that the dispute between Plumbers and Heating Engineers which began to come to a head in 1900 never assumed the proportions of a nationwide struggle, but nevertheless it was on a point of principle fundamental to those who were involved in it in certain areas of the country. The great social and industrial changes which came to pass during the nineteenth century led to an ever increasing tendency of both workpeople and employers to form associations to protect their own interests. Trade Unions had earlier been regarded as subversive and revolutionary organisations but by the end of the century they were rapidly becoming an established part of the industrial scene, although they were still largely local societies based on the large centres of working population in the Midlands and North as well as London. In the engineering trades there were lodges representing most of the craftsmen employed in the industry such as Plumbers, Fitters, Turners and Smiths; and these societies were jealous of the special position they claimed accrued to their members in the allocation of work. For example in April 1898 the following letter was addressed to a firm of heating engineers in Newcastle by the Secretary of the local lodge of the United Operative Plumbers Association:- "I am instructed by the Committee of this Lodge to inform you that they have had under their consideration the systematic infringement of what they consider as Plumbers work by the fitters in your employ, namely fixing hot water pipes to baths, lavatories, sinks etc., at the Elswick Ordnance Works. As this infringement upon our trade is getting chronic, they, the Committee, have reluctantly been compelled to request our members in your employ to tender their notice to cease work according to the rules without they have some guarantee that such infringements cease."

Two of the engineering associations in Leicester involved in the construction industry were the Operative Plumbers and the Smiths and Fitters Union, the members of the latter organisation being mainly engaged on heating work. In December 1899 the Plumbers' operatives, objecting to the installation of domestic hot water pipe-work by the heating engineers at the Leicester Isolation Hospital, struck work. Their claim to a monopoly for this class of work was strenuously resisted by the heating engineers, but in support of their action the Plumbers maintained, amongst other things, that, as the Fitters received lower wages than they did there was a greater tendency for employers to use the formers' services on pipework. At the same time it was stated that the implication of the new local water regulations was that only registered plumbers should be used

for hot as well as cold water piping. An enquiry was held by a representative of the Board of Trade and subsequently the matter was settled as far as the one particular contract was concerned. However the Master Plumbers supported their men's principles and minor disputes continued in Leicester.

Early in 1900, D. M. Nesbit, in his capacity as President, gave an address at a dinner of the Institution of Heating and Ventilating Engineers. After referring to the labour troubles at the Leicester Isolation Hospital he went on as follows: - "Take up any standard work on Plumbing and you will find no reference whatever to hot water services and yet that is just the branch which the plumbers wish to appropriate. The heating engineers have served their time to the business, and it is hard to think that an attempt should be made by the plumbers to acquire a business which does not belong to them. They attempt to justify their position by referring to what some towns have done in the issue of water regulations. Under cover of those regulations, it is attempted to create a monopoly in one trade to the injury of another, and if any success attends that effort the sooner the regulations are altered the better. It is certainly not the business of any corporation to form a kind of syndicate to foster any special business. I would strongly urge you not to give up one iota of your claim to the work you are entitled to do". Mr. Nesbit went on to say that he thought the time had arrived when they should take some deliberate steps to safeguard their interests so that if any similar trouble should arise they might have a body as firmly federated as were the engineers, so that if their interests were attacked they would be in a position to defend themselves.

It should perhaps be explained that Ashwell and Nesbit were members of the Engineering Employers Association, but this body was mostly concerned with the production side of the engineering industry. D. M. Nesbit believed that it was necessary to have a separate association representing the rather special interests of Heating and Ventilating Contractors. With this in mind he invited a number of interested firms to meet and discuss the Plumbers' dispute and other matters; and this meeting duly took place on the 11th April 1900 at 12, Great James Street when representatives of seventeen companies attended. These included some who are foremost among heating companies today such as G. N. Haden and Sons, Rosser and Russell, Benham and Sons and Z. D. Berry. The meeting did not produce any positive results but all present expressed concern at the implications of the dispute and gave general support to Mr. Nesbit in his stand at Leicester.

A number of demarcation disputes arose during the next few years.

The most serious of these, in which Ashwell and Nesbit were involved, occurred on contracting sites at the Midland Hotel, Manchester, the Leicester Co-operative Society's offices, and the Town Hall and Law Courts at Cardiff. On all these jobs strike action was either taken or threatened by the Plumbers and in order to prevent serious delays to the contract their demands were substantially met in each case after intervention by the Architect.

Perhaps the fears of many heating employers can be said to have been expressed in a letter from D. M. Nesbit to a colleague in which he remarks that "Owing to the continual trouble with the Plumbers in this class of work (i.e. domestic hot water services) Architects, fearing delay caused by strikes, have refused to allow Heating Engineers to tender for this particular work, and have placed it unreservedly in the hands of the Plumbers. Also Architects have given contracts for heating apparatus to Plumbers in order that both hot water service work and heating may be included in the same contract." In May 1902 a meeting was arranged between the National Association of Master Plumbers and representatives of the Institution of Heating and Ventilating Engineers at which it was agreed that all work in soft metal (i.e. lead) should be considered Plumbers work but that "a neutral line be taken as regards iron, brass, copper or other metal work which may be executed by heating engineers or plumbers." However the operatives were not represented at this meeting and did not accept the agreement, so that subsequently it was repudiated by their employers.

In June 1903 D. M. Nesbit, following up his remarks at the Institution dinner in 1900 and at the meeting of employers in April of that year, came to the conclusion that another meeting should be held. The same firms as before were invited to send representatives and nineteen of them attended, including the Brightside Foundry and Engineering Co. Ltd., Richard Crittall and Co. Ltd., and Saunders & Taylor Ltd., in addition to those mentioned in connection with the previous meeting. It was agreed by the delegates to set up a committee to consider the possibility of forming an association of heating employers and to report back in six months. This they did and the firms met again on the 20th January 1904.

This meeting was held at the Holborn Restaurant and D. M. Nesbit presided. In his remarks to the delegates he said he wished it to be clearly understood that the proposed Association was not in any way opposed to the Institution of Heating and Ventilating Engineers; that was an institution for the furtherance of knowledge concerned with heating and ventilation whilst the new society would watch the commercial interests of contracting engineers. They had neither the desire nor the intention to trespass upon the preserves of other trades. As to the plumbers, so far as lead pipe service was concerned

they did not wish to disturb the present methods, but they must see to it that no body of men could claim the monopoly of running pipe-work in any other metals. In their capacity as employers they must secure to themselves the right to employ their own men to do this work in their own way. If any plumber could obtain contracts for domestic hot water service, or even (if he were competent) for heating work, he was welcome to do so, but he must allow the same liberty to other trades. The association which was contemplated would be militant but it would not be aggressive.

Following these opening remarks by the chairman it was resolved unanimously to form an association to be known as the National Association of Master Heating and Domestic Engineers.

This action by the heating engineers did not escape the notice of the plumbing industry. The National Plumbers Chronicle called the formation of the new Association "Another attempted encroachment" and in a leading article in its issue of March 1903 commented as follows:- "Mr. Nesbit's remarks about permitting plumbers to undertake domestic hot water service ("if they can get the contract") and heating work ("if they be competent") would be ludicrous were it not that a great principle is assailed. Far from being not aggressive it (the Association of Heating Engineers) is likely to become actively aggressive, and in view of this possible and even probable contingency there is surely the more reason for plumbers to strengthen their position and be ready if occasion should arise to repel any attempted encroachment or interference."

The new association of Heating Employers which consisted of fourteen firms, had its first official general meeting on the 16th March, 1904 and no doubt the dispute with the Plumbers was placed high on the agenda. Two years later the Master Plumbers, with solid backing from the Union, made an attempt to force the issue by proposing to the Association that acceptance of the formula that all hot and cold water services should be regarded as a plumbers' monopoly would settle the matter once and for all. The Heating Engineers did not agree. At the same time some pressure was brought to bear on local authorities to limit the installation of hot water services to plumbers.

Following a dispute at the Leicester Infirmary in the summer of 1907 a joint conference was held in the Town Hall under the chairmanship of Alderman Thomas Smith J.P. Representatives from all parties to the dispute attended including a member of the central executive of the United Operative Plumbers Association who eventually withdrew from the conference and refused to ratify the resolution agreed to by the other delegates. This resolution concluded in the following

terms: "... it is desirable to refer the demarcation dispute generally to the decision of an arbitrator appointed by the Board of Trade, under the Conciliation Act, 1896; the arbitration to be completed with despatch, and with a view to a national settlement of the question." The attitude of the Plumbers union, however, made it impossible to proceed to arbitration at this time.

It was not until November 1909 that it again became possible to bring the Operative Plumbers to the conference table after a strike at the Masonic Hall in Leicester where Ashwell and Nesbit's men were fitting hot water pipework. This time the Plumbers agreed to full scale arbitration and hopes were raised that this might lead to a national settlement of the whole issue.

The proceedings opened on the 5th November under the chairmanship of Alderman Smith, who had been appointed arbitrator by the Board of Trade. Representatives of the Association of Master Heating and Domestic Engineers included C. Ingham Haden, J. Nelson Russell, A. J. Gimson, D. M. Nesbit and R. E. Atkinson, and Mr. J. T. Biggs, J.P. spoke for the Master Plumbers, the substance of whose claim was as follows: "... all pipes and fittings, Hot and cold domestic water supplies and sanitary conveniences and appliances, and all requisite wastes there from, whether in lead, iron, copper or metal pipes to all houses, mansions, offices, public buildings etc., the supply to be continued from the Corporation water service and the waste pipes carried to the boundary line, where they respectively enter or leave the boundary line of the premises concerned." The claim of the Heating Engineers concerned the "fixing and fitting of pipes in hard metal (such as iron or copper) which the plumbers claim as a monopoly to the exclusion of any other trade. Lead work is not in dispute being recognized as Plumbers' work." The evidence given at this conference occupies one hundred pages of foolscap including that of Mr. Nesbit which runs to twenty-six pages. The writer has read all of this and has no intention of inflicting it upon the reader of these notes, but nevertheless there are some points of interest which are worth recording. For example Mr. Haden stated that his firm had done hot water supply services since 1836 and had not encountered claims by Plumbers until 1907. Mr. Russell's firm, Rosser and Russell, had been installing domestic water services certainly since 1867. He did not consider that lead was a proper metal for hot water pipes, and his firm had never used it. So far as Leicester was concerned the Plumbers' real quarrel seemed to be with Ashwell and Nesbit Ltd., and particularly with Mr. Nesbit. Mr. Biggs stated during his summing up of the case for the Master Plumbers that they had met with no difficulty in Leicester except with Messrs. Ashwell and Nesbit; "Messrs. Gimson had been no trouble." He continued by saying that their point of dispute

was that none but qualified plumbers were really entitled to do the work in question, and it was because of the increasing encroachment of those who were not qualified plumbers, that Ashwell and Nesbit and other firms had had complaints. Mr. Biggs made a strong bid to keep the whole matter on a local level. He objected to any of the evidence that had been brought from outside being accepted as evidence as to what should take place in Leicester. He said he was quite content to rest his case on the evidence that had been produced locally.

D. M. Nesbit's evidence was very long. He recited a considerable list of contracts which included the installation of hot and cold water services by his own fitters. He stated that the Plumbers had taken their case to a number of influential bodies including the Royal Institute of British Architects and the London County Council but had not received support from any. He concluded his statement as follows: "We desire no advantage, we do not wish another trade to have an advantage that we are denied, we do not wish to do lead work unless it is executed by Plumbers employed by us and for us, but we desire to be left alone, to execute any kind of domestic pipe work whatever metal it may be in other than lead, which after all is commonly known as "plumbum"."

The proceedings terminated at the end of the second day with votes of thanks to the Arbitrator from both sides. On the 30th November Alderman Smith issued his award in these terms: "I determine that, in the water area of the Leicester Corporation, the demarcation of work shall be as follows:- A. All lead work in connection with hot and cold water domestic supplies and services shall be Plumbers work. All domestic waste, soil or ventilating pipes above ground from W.C.'s, baths, lavatories, sinks or other sanitary conveniences shall be Plumbers work. B. All other work in connection with heating, laundry, cooking, hot and cold water services, etc., in which hard metal piping is used, may be done either by Hot Water Heating and Ventilating Engineers, Fitters or by Plumbers, as may be provided in plans or schemes prepared by Heating and Ventilating Engineers, or by Master Plumbers, or others." So far as Leicester was concerned this award, it was hoped, might be an end of the matter but, unfortunately, the Operative Plumbers did not accept the arbitrator's ruling. A year later the Federation of Building Trades Employers recommended the acceptance of the award but changed their minds when the plumbers attitude became clear.

In the next few years and during the period of the First World War no real progress was made towards a general settlement of the dispute but in 1921 the Trades Union Congress and the Ministry of Labour both made some attempt to bring the parties together. The T.U.C. while favouring the award of hot and cold water supplies to the Plumbers suggested a merger of the two unions involved. The Ministry set up a committee consisting of representatives of

both Masters and Men with a brief to find an amicable settlement through a conciliation procedure. D. M. Nesbit gave evidence to this committee, as did other employees of Ashwell and Nesbit Ltd., including the general Supervisor, Walter Clowes, who had been with the company since 1883 and had been particularly involved with the demarcation troubles at the Midland Hotel, Manchester. In spite of strenuous efforts to avoid a breakdown there was a failure to find a basis for agreement.

Various meetings and conferences took place during the inter-war years but as late as 1937 an extremely serious demarcation dispute occurred and again an amalgamation of the unions was proposed, an idea which was favoured by the plumbers but rejected by the fitters. Even today there has been no widespread settlement of this long standing quarrel, although heating engineers are generally able to install hot water services without interference, except in Scotland where a rather more rigid demarcation formula is still in existence.