

# BakerlooNews

www.rmtbakerloobranh.org.uk

Newsletter of the Bakerloo Branch

national union of rail, maritime and transport workers

December Issue 2

**RMT calls strike action. Do not book on for any duty between 21:00 hours from Friday 17th of December until 20:59 Saturday 18th of December**

## **This strike is not just about Eamonn Lynch. This is about you!**

RMT members have voted overwhelmingly for strike action in support of victimised driver Eamonn Lynch. On a 50% turnout 95% voted for strike action and for action short of strike action. The union has decided on one days' action starting at 21:00hrs Friday 17th December. This strike will be in conjunction with drivers at Morden depot on the Northern line who are fighting to defend their RMT colleague, Arwyn Thomas who is also being victimised by LUL bosses.

Last week LUL management upheld their decision to sack Eamonn Lynch even after an Interim Relief Tribunal decided that the sacking of Eamonn was a clear case of victimisation on the grounds of Eamonn's trade union activity. We are clearly up against a management that is out of control and has no regard for the law of the land. If you discriminate against and sack a driver for his union activity, how long before our bosses are sacking us for our gender, sexuality or race? And then stick two fingers up at a British court?

LUL management have screwed up London Underground's finances and want us to pay the price. By victimising reps like Eamonn and Arwyn management not only save money if they can sack them, but by undermining our union organisation they can then attack all the staff and push through unsafe practices unchallenged.

That's why this strike is about more than just Eamonn and Arwyn, it's about job security for us all. Support for Eamonn from Aslef has been great and Aslef members have pledged their support during the up coming

strike. This strike is to defend all our jobs and union organisation. If they get away with sacking Eamonn, despite the legal judgement, then they will sack anyone on the line. You might be next! All out on Saturday!



### **Mythbuster!!**

As usual, as a dispute approaches the LUL rumour mill goes into overdrive. If you want the facts about Eamonn's case go to [www.rmtbakerloobranh.org.uk](http://www.rmtbakerloobranh.org.uk), as more myths do the rounds the RMT will put the facts on the website.

Here are the myths so far: Only 7 people voted in the ballot. Not true. There were 37 votes for action 2 against, this is a turnout of over 50%.

RMT rep Brian Munro has booked rest days for all the recent strikes: Not true. Brian has given rest days away to take strike action. Only on 1 day did Brian not take strike action as he was on rostered leave.

Eamonn Lynch has been offered a payout by LUL: Not true. Eamonn Lynch is sacked. He is still being paid by LUL, because they have been forced to do so by a court of law.

### **LU Bosses: It's the law, Stupid!**

London Underground is not above the law. Below is what the judge said, abide by the law LUL. "The Tribunal considered the following aspects of the evidence presented by the Claimant which suggested that the requirements that the burden of proof had been satisfied by the claimant.

The fact that the Claimant was following instructions given to him (albeit incorrect instructions) by staff at Network Rail and the Respondent as supported by documentary evidence...

That the Claimant had openly admitted the wrongdoing and had not concealed any facts from the Respondent.

That a comparable case which was patently of greater severity than that of the Claimant had been dealt with more leniently.

That other staff of the Respondent who had given the Claimant wrong instructions were not disciplined.

That the Claimant's union/health and safety roles were referred to four times during the disciplinary hearing and as an aggravating factor in the decision of the disciplinary panel without apparent justification

That the Respondent's procedures for disciplinary action were not followed correctly and in particular that a manager with whom the Claimant was known to be in dispute appeared to be involved in the decision to instigate formal disciplinary proceedings.