

BakerlooNews

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Newsletter of the Bakerloo Branch
national union of rail, maritime and transport workers

October 2012

LU's detrainment procedure is unsafe!

It has been widely reported in the media and in the work place that an incident involving a 12 year old boy who was overcarried into the Queens Park north sheds has called into question London Underground's detrainment procedures.

On Monday October 8th the boy was able to "shimmy up" and out of the train squeezing past the inner car barrier and onto the track. He could have been killed as he was in close proximity to the 420 volt live positive rail and moving trains. It was only the alert actions of the driver that spotted this dangerous occurrence. He told the driver "he was going to walk home to Kensal Green on the "charcoals", ie the ballast. The driver got him back on the train.

The RMT objected to removing detrainment staff and said at the time that it would be unsafe, not just for passengers but also for staff as the risk of staff assaults would increase. The union's objections have proven to be correct.

This latest incident comes after local RMT reps warned LU only a month ago that not physically

detraining trains was dangerous and unsafe. This is the third incident in two weeks of children on tube tracks and sparked a major row over tube safety.

The RMT is working through the EIRF's to get a full picture of the overcarries but we can state that in the period between the 10th and 20th of September a total of 165 passengers were overcarried into the sheds at Queens Park. And that is the figures for those overcarries actually reported.

London Underground are now running a formal investigation into this latest incident but the RMT believes this does not go far enough as any recommendations will take time and a final report will not be available for weeks if not months. Bob Crow, RMT General Secretary called a meeting to review the whole detrainment

process and an immediate return to a safe way of working. This meeting will take place on Wednesday 17th of October.

The RMT's call for an urgent review of the procedures has also been supported by ASLEF. Steve Grant, Aslef London region secretary, said in the media: "The system is downright dangerous both for passengers and our staff. We are demanding the system be reversed for the protection of passengers."

The RMT is also extremely concerned by London Underground's attempts to manage these safety issues. Nigel Holness, London Underground (LU) operations director has deliberately misled the media and London's travelling public. His press statements have said: "Everyday there are thousands of train movements to and from depots and this type of incident is very rare".

As drivers on the Bakerloo Line know overcarries happen every single day. The RMT is working through the EIRF's to get a full picture of the overcarries but we can state that in the period

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between the 10th and 20th of September a total of 165 passengers were overcarried into the sheds at Queens Park. And that is the figures for those overcarries actually reported.

London Underground's axing of detrainment staff has proven to be grossly inept whose sole purpose was

to cut costs. Three on-board announcements and flashing lights is not good enough. Our passengers and staff deserve a procedure that puts safety first.

The RMT will give a full report on the outcome of the meeting on the 17th of October, we will demand nothing less than a safe procedure for our passengers and staff.

Bring agency workers in-house!

RMT has made progress for agency workers employed on the ex Silverlink stations north of Queens Park and on the District Line.

The union has argued that these workers (employed by 'Trainpeople') should be brought in house. If they are necessary to provide a service to our passengers, wear London Underground uniforms and work side by side with LU staff they should be directly employed by the company.

This 'two-tier' workforce is unacceptable to RMT and provides a dangerous precedent for the use of agency staff across LUL.

The union is also concerned that these workers have been denied their rights under the 2010 Agency

Workers Regulations (AWR). RMT officials met with Gerry Duffy on Thursday 12th of October to discuss the issues involved and raised the following breaches of the AWR:

Regulation 12 of the Agency Workers Regulations 2010 states that:

(1) An agency worker has during an assignment the right to be treated no less favourably than a comparable worker in relation to the collective facilities and amenities provided by the hirer.

(2) The rights conferred by paragraph (1) apply only if the less favourable treatment is not justified on objective grounds.

(3) "Collective facilities and amenities" includes, in particular—

- (a) canteen or other similar facilities;
- (b) child care facilities; and

(c) transport services.

It is clear to RMT that under the provisions of this Regulation, Trainpeople staff working on London Underground stations should be issued with a Staff Pass and Nominee Pass on the same terms as an employee of LUL. Currently, these are not issued, in clear contravention of Regulation 12(3)(a).

Regulation 13 of the Agency Workers Regulations 2010 states that:

An agency worker has during an assignment the right to be informed by the hirer of any relevant vacant posts with the hirer, to give that agency worker the same opportunity as a comparable worker to find permanent employment with the hirer.

We advised LUL, and showed supporting evidence, that many Trainpeople staff had applied for permanent employment, but their applications had been variously dismissed as ineligible, 'lost', or unsuccessful without reason or feedback being given. This is not the 'same opportunity' as an LUL employee would have.

RMT therefore believes that these staff have been denied their legal rights, and demands that LUL allow them to reapply and ensure that their applications are dealt with appropriately.

The RMT expects a response from London Underground to these issues within seven days of the meeting. If this response is unsatisfactory the union will support our members in seeking legal redress. Members will be kept informed of developments.



RMT assists with life long learning



With the help and support of Bakerloo Line Union Learner Reps a driver has been assisted in furthering his education by enrolling for a masters degree at Birkbeck University where he received 10% off for being an RMT member and is able to apply for a £250 RMT learning bursary.

Speak to your ULR reps Clive Protheroe and Jayesh Patel about courses and training available to you.

JOIN THE DEMO!

TUC **A FUTURE THAT WORKS** **RMT**

National TUC Demonstration
AGAINST AUSTERITY

London, Saturday 20 October, assemble 11am, Victoria Embankment for march to Hyde Park rally

Every Tube worker is affected by government cuts
Help play YOUR part - Bring your workmates, friends and family
Call your RMT Regional Office and see www.rmt.org.uk

The TUC is organising a mass demonstration in London under the banner of "A future that works" on October 20th this year. RMT will be participating fully in this mobilization, as part of our wider strategy of opposing the cuts.

It is essential that the RMT contingent is as large as possible in order to demonstrate the seriousness of our opposition to Government plans to slash jobs, pay, terms and conditions, employment rights, and pensions alongside the services we all use.

Please come to the demonstration, and encourage family and friends to do likewise.

Assemble at 11am at Temple Tube for march to Hyde Park rally.