



London Calling

The Newsletter of the London transport Regional Council

Website: www.rmtlondoncalling.org.uk

Email: Regionalsecretary@rmtlondoncalling.org.uk

News & Views from RMT's London Transport Regional Council Sept 2013

We Will Unite & Fight to Stop Job Cuts

RMT is committed to fight against the 12% cuts demanded by Boris and enthusiastically carried out by LU management.

The most immediate target for LU, as they seek to wield the axe, will be ticket offices and station supervisors. Most members will, by now, have seen reports in the Standard as well as in London Calling of management's plan to close all ticket offices and slash the number of supervisors by making each one cover up to five stations.

But the cuts demanded by Boris and LU will go much further than this.

Every function of TfL and LU will be hit, as will members working for contractors, such as cleaners.

The prospect of driverless trains, even if limited to a few lines at first, threatens the conditions of drivers while LU claims that new trains will identify their own maintenance needs and allow the company to shed engineering jobs.

Running alongside this is the threat to our pensions. We will continue to fight for all TfL/LU staff to be allowed to join the pension scheme as well as all new entrants.

Demands to cut costs will not just be a one off. TfL and LU will be told to repeat the process year after year as the government and GLA try to recover the money they have wasted on PPP and ongoing use of private firms.

RMT will do everything possible through negotiations to stop cuts to our jobs and conditions. We will also continue to mobilise support from the public and from those GLA members who support our position. But we all know that industrial action is likely to be needed if we are to defend our hard won jobs and conditions.

Management imposed a roving supervisor model onto

the Wembley Central group with no consultation whatsoever. Following a meeting with the stations & revenue functional council LU has agreed to put that on hold and take the issue to ACAS. RMT will demand a supervisor roster for every station on the group but we know the company wants to roll out mobile supervision across the Underground.

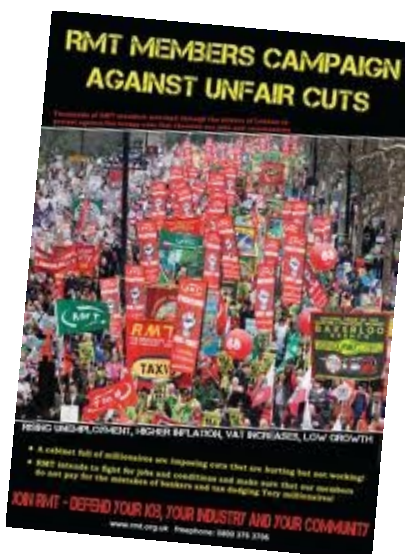
Branches should be discussing these developments now. We do not know when LU may impose further changes that threaten members job security.

We must be ready to fight back as a united union to defend every job and our hard won conditions.

We will oppose the closure of ticket offices, the introduction of mobile supervisors, the introduction of driverless trains and we will defend our hard won pension rights.

PREPARE FOR ACTION
UNITY IS STRENGTH

John Reid, LTRC Secretary



Why Can't LU Keep Ticket Offices Open

London Underground continually fails to open ticket offices because of staff shortages.

How can it be thus, there were 33 agency workers sacked by LUL earlier this year? These workers were ticket office clerks, staff who would have been able to open ticket offices that LUL claim they have not enough staff for.

The Mayor, in his election manifesto, promised to keep ALL ticket offices open. Has the Mayor reneged on yet another election promise or will he now take LUL to task and ascertain why ticket offices routinely fail to open because of staff shortages?



No to Driverless Trains

The underground railway (Metro) in Finland's capital city Helsinki is due to go 'driverless' in 2016. I discussed this with Finnish trade unionists Jussi and Satu, and heard a story that has important lessons for London Underground workers and passengers trying to prevent the same calamity happening in London.

The proposal to introduce driverless operation on the Helsinki Metro was first raised in 2007. The trade unions opposed it (note that as city council employees, the Metro workers are members of the public sector trade union rather than a transport union).

In 2009, the proposal was shelved, as it was considered to be technically impractical. Believing the issue to be off the agenda, the unions stopped their campaign. With hindsight, they now regret doing so, as the plan for driverless trains returned in 2012 - and this time, the authorities are determined to go ahead.

The Helsinki Metro is owned and run by the city council. Twice the council voted against driverless trains, but the proposers kept pressing the plan until they got the result they wanted: on the third occasion, the vote was passed.

It was supported by the Mayor, and by the the largest party on the council - the National Coalition, similar to our Conservative Party - and the second largest, the Greens. Members of the third largest party, the Social Democrats, opposed the proposal. (As an aside, the parties have similar levels of representation in the national government. The Transport Minister is a Green Party member, and is privatising state-owned transport companies.)

At first, public opinion opposed the introduction of driverless trains, for the obvious reason that it would endanger passengers' safety. But the city council ran a massive media campaign extolling its virtues. The campaign emphasises that it would lead to a train-every-two-minutes service, a doubling from the current train-every-four-minutes service. Of course, many metros already run services at least this frequent while retaining drivers, including some London Underground lines. But following the council's concerted campaign, public opinion now supports driverless operation.

The driverless trains are being supplied by Siemens. They were originally going to cost 70m euros, but this price went up to 150m euros, and is now around 210m euros. This is, of course, public money going to a private company. The council is trying to get some of this money refunded by Siemens, but the trade unions do not think it will succeed.

Having been wrong footed by the reappearance of the proposal and the successful publicity campaign, the un-

ion now feels powerless to prevent the removal of drivers, which will take place in 2016 when the main Metro line is extended. The union is reduced to negotiating over the terms on which it will be done.

The council has already promised alternative employment to displaced drivers, although many do not want it. The union is demanding that drivers redeployed into other jobs keep their driver's rate of pay, but the council is resisting this - and has even made new drivers who started from 2012 sign contracts that they accept that their pay rate will not be guaranteed when their driving job is scrapped.

The Helsinki Metro is much smaller, and newer, than London Underground. There are just 83 Metro drivers. They will be replaced on the trains by guards. However, the guards will be paid 2,200 euros per month, whereas drivers are paid 2,800-3,000 euros per month. Moreover, there is a genuine fear that the guards are only there to reassure the public, and that in a few years' time, when

passengers are used to driverless trains, the guards too will be scrapped.

Ironically, the 83 drivers are being replaced by 130 guards, as guards need to double-up in many situations for their own safety. So while this move creates jobs in the short term, they are lower-paid jobs, and in the

medium term, jobs will be cut.

Meanwhile, on Finland's mainline railway, each train has a driver and two conductors. However, the government - ever keen to cut costs and cut jobs - is suggesting that there are not enough problems or bad behaviour on trains to justify two conductors, so want to cut it to one. Perhaps it has not crossed the government's mind that the reason there are not too many problems is precisely because there are two conductors, and that therefore scrapping the second one is inviting trouble. Or perhaps it did occur to the government but it didn't care.

Lessons for London Underground workers? I would suggest:

- know who our reliable political allies are (and who they are not)
- keep our campaign going even if the authorities appear to give up or back down
- do not rely on the technical difficulties of driverless operation to prevent it coming in
- just because public opinion is against it now, beware that this can change - keep fighting for public support for our view
- staffed trains are not an acceptable alternative to drivers on trains
- we must stick to our guns in opposing driverless trains, not retreat to negotiating the terms of their introduction.

Janine Booth, LTR CofE member



RMT Taxi Branch Resists Attempts to Loosen Rules on “Plying for Hire”

Provisional Proposal 15

The defining feature of taxis, the concept of “plying for hire”, should be placed on a statutory footing and include references to ranking and hailing.

This was the proposal put forward in May 2012 by the Law Commission following a year of extensive research into all existing taxi and private hire legislation.

In October 2012 a specialist legal meeting was held at which the RMT legal officer attended to specifically discuss such a definition, progress appeared to be made and in January 2013 the RMT London Taxi Branch met with the Law Commission, where they stated that they were going to define plying for hire.

However despite these assurances and having gained a consensus on this proposal, (see responses Taxi-globe edition 716) they have decided not only to ignore them, but are now suggesting something else not proposed as part of the consultation or of previous discussions.

Needless to say we were bewildered and very disappointed when the interim statement was published. Why the sudden u-turn between the months of February – April?

Why PP15 is so important!

Taxis have been plying for hire in London for almost 400 years. The first rank was introduced in 1634 on the Strand. The first London Act was passed in 1831 and contains the term plying for hire

*“Every hackney carriage which shall be found standing in any street or place, shall, unless actually hired, be deemed to be **plying for hire**.....”*

As such a considerable amount of case law has developed over many years in relation to exploring and upholding the meaning of this term contained within the various Acts. Hunt v Morgan 1947, Cogley v Sherwood 1959, Eldridge v BAA 1970, Eastbourne v Sterling 2000, to name but a few.

The Hindley report (1939) stated “An essential feature of a scheme of control for private hire vehicles would be to ensure that the vehicles do not infringe on the cabs privilege of plying for hire..... Accordingly we recommend that, whether or not legislation for the control of private hire vehicles is introduced there should be legislation to define the term plying for hire used in Acts relating to the control of hackney carriages”

In 1962 the opinion of the Home Office was that “Plying for hire involved three elements, **exhibition, soliciting**

and availability and that the difficulty of proving that an unlicensed vehicle was operating illegally could be eliminated completely by legislative amendment of the law relating to plying for hire by abolishing the element of soliciting from the necessary ingredients of the offence”. In 1994 the separate offence of “touting for hire” was created under the **CJPO Act** making it illegal to solicit prospective passengers.

The Maxwell Stamp report (1970) stated “One further comment on plying for hire in the context of the definition of a Hackney Carriage is that it is **the vehicle itself which is described as plying for hire. Although the situation of the vehicle must depend on human agency for the purpose of the definition the character of that agency is irrelevant. **The uncertainty surrounding this definition has prevented any agreement on the line to be drawn between fair and unfair competition....”****

No to compromise!

Over seventy years ago in 1939 there were only 7,811 taxis licensed and an estimated 2,000 private hire vehicles (not subject to licensing) operating in London, much lower figures compared with today.

However with the emergence of minicabs the importance of defining plying for hire was clearly understood in the interests of developing fair policy regarding the competition that exists in providing door to door transportation where a level playing field does not. It is worth noting that the

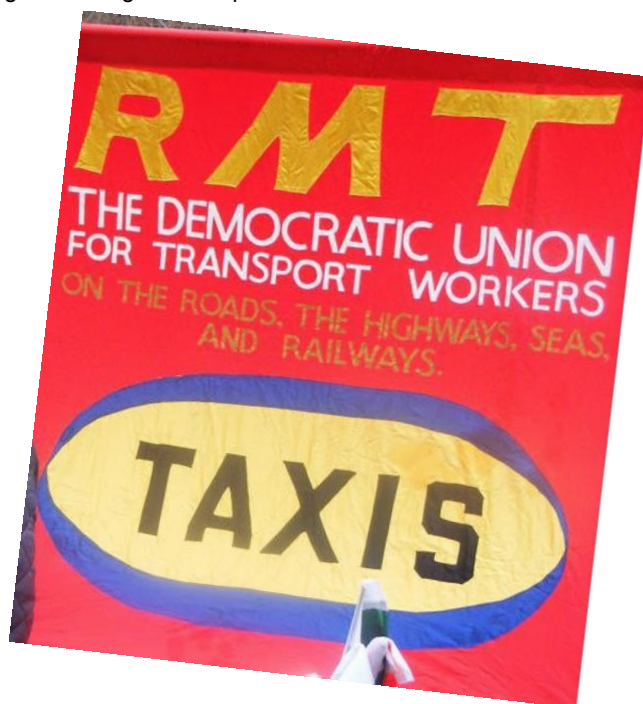
population of London in 1939 was 8.6 million and today it is only 8.3 million!

We believe our entitlements are being infringed, consequently for a two tier system to operate fairly and safely it is both in the public and the taxi trades interests that plying for hire is defined.

There can be no compromise on this issue. Any repeal of this term along with the offence of illegally plying for hire will make our case law redundant, putting us in a far worse position than the status quo! It may be prudent to define pre-booking, however it is paramount that PP15 proceeds to ensure the future survival of the world’s best taxi service, particularly now that PHVs are licensed, not to mention the plethora of Pedicabs plying in the capital with impunity.

It is said “Where there is a will - there is a way”

This was clearly the case in 1939 – What about now?



Tube Lines Pension & Passes Dispute

Decision of RMT Council of Executives

We note the report from our lead officer, summarising the views expressed at our representatives' meeting on 23 August. Accordingly, we instruct the General Secretary to advise the employer that:

1. trade union representation on the Joint Working Party should be proportional to the membership of the trade unions; that RMT's delegation should include all our Company Council members; and that all members of the JWP should be either Tube Lines employees or full-time officers;
2. RMT will not be discussing the closure of the TfL Pension Scheme to new entrants at this forum; and will not be discussing it at any other forum other than to express our total opposition to the proposal;
3. RMT's participation in discussions about voluntary severance schemes should not be taken as agreement to job cuts.

RMT will take part in the Joint Working Party on this basis, and the General Secretary is to place reports of its progress in front of the GGC.

Bombardier Pay And Conditions Talks Continue

RMT has welcomed the return to collective bargaining from individual contracts but will continue to address problem areas:



- Below-inflation pay rise for some
- Removal of the enhanced rate of pay for overtime
- Allocation of annual leave in hours rather than days, which will result in a loss of leave'

RMT Push For Increased Representation at TfL

RMT is demanding improvements in the recognition of reps for those members working for TfL. A fuller report will be carried in the TfL members' newsletter.

RMT will Demand Payment for all Staff Working on Boxing Day



ASLEF has resolved its dispute with London Underground Ltd, reaching a settlement that drivers who work on Boxing Day will receive a £350 payment and that this is financed through amendments to the Train Operators Resourcing Agreement (TOPRA). These amendments cause some detriment to drivers, particularly newer drivers, who may find themselves unable to move to the depot of their choice for a longer period of time. RMT is not party to this agreement, and does not accept that working conditions should be sold in this way.

RMT proposed amendments, in particular that: drivers who work on Boxing Day should have the option of two additional days leave rather than the £350 payment; and that drivers are able to move work location more easily and promptly. Unfortunately, LUL (and ASLEF) were unwilling to accept these entirely fair proposals.

This LUL-ASLEF agreement applies only to drivers. Working on Boxing Day is onerous for workers of any grade, not just drivers. We therefore instruct the lead officer to place on the agenda of the next LUL Company Council meeting a proposal that workers of all grades be paid £350 or offered two additional leave days should they work on Boxing Day. We will not offer detrimental changes to working conditions in exchange for this. We believe that it is justified through past productivity increases, particularly the increase in passengers numbers, stations opening and train service frequency on Boxing Day.

Back Dated Pay Rises For Cleaners & Security Workers Still Short Of London Living Wage

ISS has confirmed a backdated pay increase of 3% for security staff and 5% for cleaners.

RMT congratulates our members on winning this pay rise through our campaign of industrial action and persistent negotiation.

However, this increase still does not bring pay rates up to the London Living Wage. The LRT region will assist our cleaner members to continue to press for improvements in their pay and conditions.



STOP PRESS: CLEANERS VOTE OVERWHELMINGLY to refuse to use fingerprint scanners to book on for Duty

RMT cleaners will not use a fingerprint or any other biometric signing in process. This expensive and unnecessary measure is an affront to our members civil liberties and we will not accept it.

A full report will appear on the London Calling website and in a future printed edition.

London Transport Regional Council: Secretary, John Reid jpjreidie@yahoo.co.uk Call 07748 760261