



## News & Views from RMT's London Transport Regional Council

# Piccadilly Line Dispute Latest Update

Local and Level 2 reps have met with senior Piccadilly line managers and HR Director, Gerry Duffy, to explain the issues which have led both RMT and ASLEF to ballot their members for strike action. There were four main areas of concern, as follows:

### SPAD Policy

We told management in no uncertain terms that they were guilty of breaching the agreed SPAD policy by inventing the trigger point of 7 SPADs in 10 years as a basis for threatening drivers with redeployment, and of trawling through staff files for this information regardless of their recent safety records. We insisted that management simply follow the agreed SPAD policy.

### Attendance at Work

We detailed our opposition to management's new Rainbow procedure. 'Capability Case Conferences' have now been held for drivers who have breached arbitrary trigger points under Rainbow and we asked that these be stopped as this procedure is not part of the existing AAW policy and is merely an attempt to harass drivers. We also demanded that management abides by the AAW procedure by allowing local managers to use their discretion when deciding upon what sanctions to give at attendance disciplinarys.

### Staff Errors

We told management that the present use of 'staff errors' against our members has to stop. No non-safety related error should be recorded on drivers' holistic reports: they should be dealt with through CMS. Also, the practice of management using 4 staff errors in a 2-year period to instigate a case conference (where redeployment is a possibility) must stop.

### Northfields Depot

There has been no proper consultation with reps about facilities at the soon-to-be-opened Northfields

depot.

In particular, management has refused to agree to the new depot having a canteen and has also refused thus far to discuss alternative arrangements.

There is also a failure to agree about the number of car parking spaces that will be needed for drivers and other staff at the new depot.

Another issue was management's attempt to remove the 5 minutes' extra booking on time from the new

duty schedules at Acton and Northfields. Local reps challenged this attempt by management to ride roughshod over a long-standing agreement. The result was that a new set of duty sheets were produced without the 5 minute deduction almost overnight. As these schedules take weeks to prepare, it seems that management already had them ready in case they were challenged about it. This attempt by Piccadilly management to pull a fast one raises a point of principle: if they are prepared to try and change agreements such as the booking on time, what else might they try and change?

### What Next?

Management agreed to take our issues away and consider them. Further meetings between union and management will follow shortly.

At the time of writing, both unions are in the process of balloting their members for strike action over these issues. It is vital that members vote YES in this ballot. A large YES vote will show management that we are united in our opposition to their attacks on our working conditions. It will demonstrate that we are prepared to fight for fairness, dignity and respect in our workplace. So don't leave it to others. When your ballot paper arrives, fill it out straight away and send it back.

**Defend your agreements and working conditions:  
VOTE YES!**



# Tube Lines Pension & Passes Dispute



**By Paul Jackson, RMT LU Engineering  
Branch Secretary**

LUL/TfL are TUPEing some staff in, but are refusing to allow them LUL travel rights (point-to-point) and entry to the TfL final salary pension scheme. This means a two-tier workforce in and on our own doorsteps. Colleagues working side by side with different terms.

Added to this some collective issues such as MATS staff (Q grades) being on full performance-related-pay and not the union-negotiated rate, means a direct attack on our collective bargaining strengths.

The vast majority of staff are remaining with Tube Lines, which will be run as an Infracore organisation, turning the clock turned back to PPP days.

We will then be benchmarked against people on an inferior pension scheme and associated costs. We will get slaughtered by this benchmarking. That's without the obvious setting up for future privatisation. Remember the Tories are not renowned for nationalisation. This will be the third tier of the workforce.

The Tube Lines fight for pension and travel justice is rapidly becoming a fight for all London Underground and TfL workers. We will wear the same overalls, the same HiVis and logos, and they will be the anvil that LUL will use to beat us with in the future

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**Brian Whitehead (RMT Regional Organiser, lead  
officer to Tube Lines) reports:'**

On Friday 8 March, RMT Company Council reps and I attended a meeting with Phil Hufton and Tube Lines management to discuss the dispute over passes and pensions.

Management made clear that they would only give passes and pensions if the money could be found through savings: by some work currently done by contractors and agencies being brought back in-house; and savings due to the duplication of tasks being carried out by Tube Lines and APD, mainly in support areas, after these staff transfer to LUL/TfL. Phil Hufton suggested that there would be a reduction of 300 to 350 posts over a minimum of three years, which would be achieved through voluntary severance.

We discussed the costs of around £8.5m for pensions and £2.5m for passes. RMT disputed these figures, especially the cost of passes - a separate meeting to discuss this will take place on 19 March. RMT said that if the figure for passes were inflated and the true cost considerably less, then this could be achieved much sooner than they ex-

pected.

Phil Hufton stated that the answer to the pensions issue was no longer 'no' but was now achievable, and that he intended to give TfL pensions to all Tube Lines staff no later than April 2014.

A further meeting took place on 13 March, and management sent out an internal communication whilst we were actually still at the meeting! When we arrived, we discovered it was an initial consultation meeting regarding the TUPE transfer of a large number of Tube Lines staff to either TfL or LUL. The staff concerned are in support services such as HR and Finance, and Projects. This will also have a serious knock-on effect, such as the severe reduction in opportunities for promotion and redeployment for the remaining Tube Lines staff.

Management said that the staff transferring into TfL/LUL would retain their Tube Lines pensions and not move to the TfL pension scheme, and that they intend to change the rules of the Tube Lines pension scheme to allow this.

We said we consider this unacceptable. We have a second consultation meeting scheduled for Thursday 21 March, where we should see the breakdown of staff in greater detail along with far deeper discussions.

RMT has asked Tube Lines to release all our reps to attend a meeting at Unity House on 26 March at 10:00 to discuss the implications of the meetings with Tube Lines.



**John Leach (RMT Regional Organiser, lead officer  
for LUL and TfL), reports:**

The proposal to re-integrate sounds good, but the consequences are that there would be a two-tier workforce, and that management would have split the London Underground workforce's pension provision.

RMT attended two meetings on 13 and 14 March – one for Tube Lines, another for London Underground. There is another meeting on 18 March with TfL.

At the meetings, management said that the 700-odd staff who transfer would not be allowed to join the TfL Pension fund and did not say that travel facilities would be honoured.

The proposal to re-integrate sounds good, but the consequences are that there would be a two-tier workforce, and that management would have split the London Underground workforce's pension provision. This is an attack on the TfL Pension Fund, as it denies new funding. Also management will benchmark staff costs, which they will use to attack existing terms and conditions.

I attended the meeting with London Underground with RMT representatives from the Track and Fleet functional councils. We stated that our union was against this development on pensions in the strongest terms.

Management want more talks, and have said that the transfers will take place on the 19th April and organisational changes will flow from them.

We have grave concerns about pensions and staffing reductions, and will resist these using industrial action if necessary.



## Update on Rainbow Sickness Process from Stations Functional Council Reps (SFC).

### Triggers

LU continues to set a “trigger” under Rainbow, which is 10 items of sickness or 100 days in any three year period.

### Employing Manager’s Actions

Employing managers are sent a report, sometimes referred to as an “under the radar report”. This highlights any member who has “triggered” rainbow.

The manager should carry out an “attendance review”, which may involve a manager just looking at the paperwork or may involve an informal discussion with the member. Managers will not normally allow a TU rep to attend such informal discussions. We should always advise members to state that they wish to be represented and ask the manager to make a note of it if they are denied this request. At any formal case-conference, members have the right to be represented but it remains the view of SFC reps that it would be counter-productive to demand formal case-conferences at this stage of the process.

Having reviewed the member’s record the manager may decide to ask them to attend a case- conference. At this point the member has the right to be represented.

### At the Case-Conference

#### 1. Do not agree to ANY numerical target for future attendance.

In a letter from Gerry Duffy to Bob Crow dated 25 Oct 2012 it is stated that,

“96% is a corporate target for overall attendance. I agree with RMT that it is not a trigger for interviewing and should not be used as such.”

This is important. In the past, members have been told that a failure to meet a numerical target (usually 96%) will result in a further case-conference and possible action leading to re-deployment and termination.

The only published standards for attendance are those contained in the AAW policy (which we have never accepted but at least it applies to all staff). Anything else is arbitrary and unfair.

#### 2. Challenge Management’s Data

Management will usually present data going back 3 – 5 years showing non-attendance over a long period. Take as long as you need to confirm the info they are giving you.

#### 3. Identify items that would not count under the AAW policy, including:

Special Leave

Work-related sickness

Any sickness that could reasonably be covered by the equalities act

#### 4. LU is considering ALL non-attendance together when they consider whether a member’s attendance is satisfactory.

Legal advice received by RMT suggests that this approach could breach the equalities act or a member’s legal entitlement to special leave so it should be highlighted.

#### 5. Is there an underlying problem? Does the member need a reasonable adjustment?

If the member needs a reasonable adjustment to help them improve attendance ask the manager to arrange this.

Employers have the right, in law, to require regular attendance, even if a member is covered by the equalities act. However, if a member has a disability that results in them taking a reasonable amount of time off the company should attempt to put arrangements in place to accommodate this.

#### 6. Where a member’s attendance is improving there should be no need for any follow up action.

If the member’s attendance has been poor in the past but is now improving you should ask the manager to note this and agree that no further action is required.

### Rainbow an All-Grades Issue on LU

The SFC took up the issue of Rainbow when it was being applied mainly to station staff. Recent reports suggest that train operators are seeing more Rainbow case-conferences and the process has also appeared in the engineering grades.

We have now passed all of our information to the Regional Officer and suggest that we now monitor Rainbow within each function.



## Still Fighting for the 33

Despite promises, management have used and abused our members, used them like a lemon squeezed them dry and thrown them away. LU have discarded them and at the same time Train-people has given them their p45’s.

Some workers are owed up to £10,000 by Train-people who have claimed bankruptcy to avoid payment.

RMT branches are now discussing our next steps in the campaign to re-employ the 33 and how we can fight for other groups of indirect LU staff to be brought in-house.



## Support ISS Cleaners

TUBE UNION RMT confirmed today that cleaners working for Danish multi-national ISS on London Underground are to be balloted for strike action and action short of a strike in a dispute over pay and workplace justice.

The dispute comes following the news that ISS will be retaining the Tube Lines contract for another six years, instead of entering into talks with the union on improving working conditions and relations with the union and the workforce the company has marked the contract award by attacking working conditions and undermining industrial relations.

RMT members concerns have been raised over a number of issues. These include:-

- Failure to pay the London Living Wage until six months into the contract.
- Introducing the 'Bradford Factor' attendance rules to monitor sickness and absence.
- New rostering, extending the unpaid break in the middle of the shift from 30 minutes to 45, 60 or even 75 minutes
- Introducing biometric and Fingerprint booking on, including for agency staff

All of these attacks sit at odds with ISS's statement on corporate responsibility:

"In ISS we strongly believe that the long term success of our company depends on the balance of social, environmental and economical aspects of our business. Being an integral part of our business strategy, the ISS Way, our efforts in these areas will provide ."



RMT General Secretary Bob Crow said:  
*"In order to resist the attacks by ISS on RMT's members working conditions, the union executive has decided ballot ISS Cleaning grades on the Tube Lines contract, for strike*

*action and industrial action short of strike action, to put pressure on this high-profile and highly profitable global company for workplace justice on London Underground.*

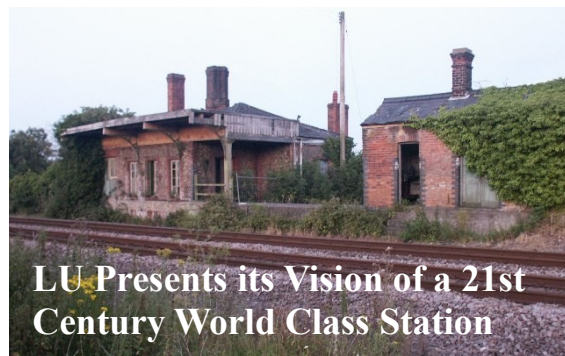
*"We will also not allow Boris Johnson and his officials off the hook over their tolerance of this blatant flouting of the London Living Wage right in their back yard."*

Ballot papers will be sent to members this week and the ballot will close on Thursday 9<sup>th</sup> May 2013.

## Supervisor Cuts and Wider use of ICSAs Will be Resisted

Significant changes in stations organisation have been published in the March *On The Move* and staff are being briefed on these changes through a number of engagement events, which sit outside the machinery of negotiation.

RMT Head Office has been informed by LU Manager, Mike Brown, that LU intends to dispense with night time supervisors and may not continue to employ supervisors at every station during traffic hours and that mobile



supervision may also be introduced. We will resist this. There will also be a further attack on ticket office staff in the coming months. Stations have been or will be built or refurbished without ticket offices, including Wood Lane, Regents Park and Whitechapel. They are planning to cut the busy Westfield ticket office at Stratford.

Management are continuing to insist that ICSA's can be deployed on the paid side of the barrier. This is an attempt to water down the training and licensing of staff and has never been accepted by RMT. We will draw a line in the sand and fight for a fully staffed Underground, with a Supervisor 24/7 at every station. We will defend ticket offices and demand all stations be staffed with fully trained and licensed station staff.

**John Reid LTRC Secretary.**

## Thermal Comfort Survey

Last month, RMT Health & Safety representative Julie Miller surveyed station staff, asking about the effects of working in cold weather and the mitigation offered.

Nearly 700 people responded - around half station assistants (CSA's), a third station supervisor's and the remainder Revenue Control Inspectors and ticket office workers (SAMFs).

For the full results go to [www.scribd.com/doc/137050755/Thermal-Comfort-Survey-the-Results](http://www.scribd.com/doc/137050755/Thermal-Comfort-Survey-the-Results)

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